REPORT RESUMES

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FEDERAL AID HANDBOOK, A GUIDE TO FEDERAL PROGRAMS OPERATED IN NEW YORK STATE LOCAL EDUCATIONAL AGENCIES. PROGRAM AREA GUIDE, 1967 EDITION.

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FEDERAL AID HAS BECOME AN IMPORTANT PART OF EDUCATIONAL FINANCE, AND THERE IS INCREASING INTEREST ON THE PART OF EDUCATORS EVERYWHERE IN PROGRAMS WHICH PROVIDE FEDERAL ASSISTANCE. THIS HANDBOOK WAS PREPARED TO PROVIDE SCHOOL ADMINISTRATORS AND MEMBERS OF BOARDS OF EDUCATION WITH AN OVERVIEW AND BASIC UNDERSTANDING OF THE MANY LAWS WHICH APPLY TO FEDERAL SUPPORT OF EDUCATION. IT IS DIVIDED INTO TWO SEPARATE BOOKS--PART I, DESIGNED TO SERVE THE ADMINISTRATOR AS A QUICK GUIDE TO PROVISIONS, IDENTIFIES THE MANY PROGRAMS BY SUBJECT AREA SERVED, AND PART II PRESENTS A MORE DETAILED SUMMARY OF THE FEDERAL ACTS BY WHICH PROGRAMS ARE SUPPORTED. THE HANDBOOK ALSO CONTAINS A CHRONOLOGICAL OUTLINE OF FEDERAL LEGISLATION FROM 1777 THROUGH 1966 AND A DESCRIPTION OF TWO SEPARATE TYPES OF ACCOUNTING SYSTEMS WITH WHICH LOCAL EDUCATIONAL ORGANIZATIONS MUST BE CONCERNED IN HANDLING FEDERAL FUNDS--INTERNAL ACCOUNTING AND FEDERAL AUDIT ACCOUNTING. (HW)

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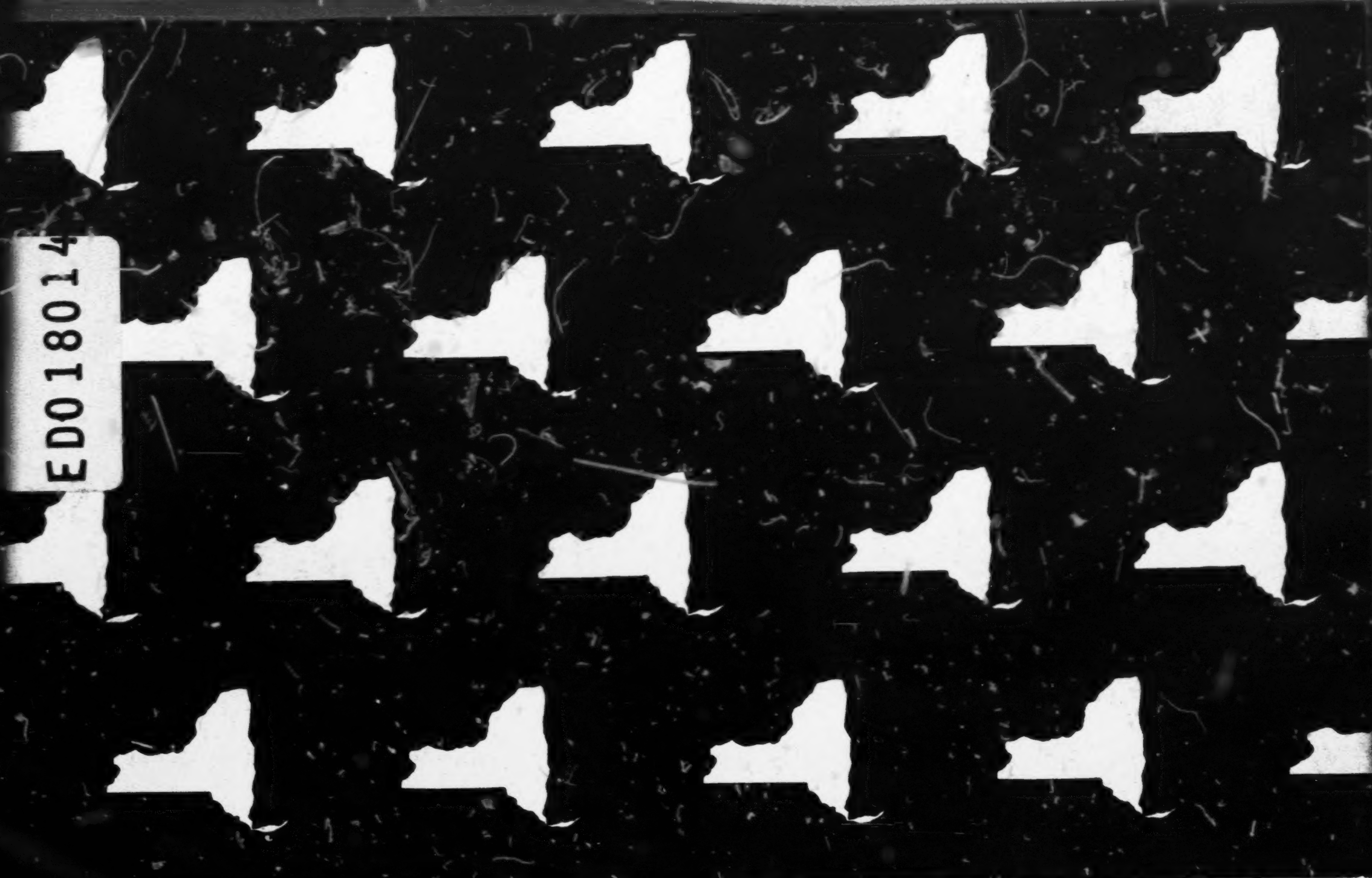

FEDERAL AID HANDBOOK

A GUIDE TO FEDERAL PROGRAMS OPERATED IN NEW YORK STATE LOCAL EDUCATIONAL AGENCIES

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PROGRAM AREA GUIDE - 1967 EDITION

THE UNIVERSITY OF THE STATE OF NEW YORK/THE STATE EDUCATION DEPARTMENT/DIVISION OF EDUCATIONAL FINANCE

FEDERAL AID HANDBOOK

A Guide to Federal Programs Operated in New York State Local Educational Agencies

Program Area Guide
1967 Edition

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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In the administration of the various Federal aid to education programs in New York State, the resultant educational programs evolve from the efforts of hundreds of dedicated people working at all three levels of government. It must therefore follow that a Handbook on Federal Aid cannot be the product of any one individual, but results from the effort and cooperation of many individuals. A note of appreciation is extended directly to the various Department of Education program administrators for their continued cooperation in the preparation of this edition. Appreciation is also expressed to Mr. Ivan A. McDonald for his valuable contributions to the revision of the 1966 edition and to Mr. J. Francis O'Connor for his preparation of this 1967 edition. A special acknowledgement is made to Mr. Richard C. Schilling, Supervisor of Federal Aid Planning, who authored the original Federal Aid Handbook in 1965 and under whose supervision subsequent issues of this publication have been prepared.

Foreword

Recent years have seen the enactment by Congress of several new programs of Federal financial assitance to education throughout the Nation. There is emerging a three-way partnership involving the Federal government, the states and local districts in supporting various aspects of the work of our schools.

Because the amounts of money derived from Federal sources for elementary and secondary education have until recently been relatively small as compared with State and local contributions, many school people have not considered it necessary to inform themselves fully about the various Federal aid programs in the past. This situation has changed. Federal aid has become important and there is increasing interest on the part of educators everywhere in programs providing Federal assistance. It seems likely that the role of the Federal Governemnt will expand even more in the years ahead.

In order to be of assistance to school administrators and members of boards of education in the area of Federal aid, this Handbook has been prepared. It is designed to provide an overview and basic understanding of the many laws which apply to Federal support of education.

Herbert F. Johnson
Associate Commissioner for Educational
Finance and Management Services

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I. Introduction

To develop a concept of federal aid to education, one must first somewhat understand the legal basis for public education in the United States.

The United States is considered to be a federal state because it is a composition system of political organization. It has the characteristic of diversification and not of concentration. The central government on the one hand and each state on the other have their respective spheres of legal authority. The United States is neither a mere league of totally sovereign states nor a totally unitary state. The former issue was resolved by the Civil War and the latter clarified by various decisions of the United States Supreme Court.

Among the unique concepts of government which have arisen from this federal system of state is the American organization for public education. By virtue of the fact that education was not mentioned in the Federal Constitution, the tenth amendment reserved the responsibility for education - along with other matters - to the individual states. Subsequently therefore every state constitution clearly directs its legislature to establish and maintain a system of free public schools.

From this basis, local boards of education acting under powers granted by the various state legislative bodies are directed to provide such education at public expense. Recognizing that not each local school district has equal ability to raise revenues through its taxing powers, the State of New York assumes responsibility for the support of the local educational programs - the first such appropriation being made in 1795. Basic to the current State program of fiscal support is the concept that the State is responsible for providing a satisfactory minimum education for every child in the State, with the burden falling equally on all its parts. A primary feature of this concept is the principle of equalization by which a poorer school district (in terms of

taxable properties) receives a higher percentage of State support than a district with superior taxing abilities. Such State support is for educational programs of local origin and priorities with State mandates applicable for minimum foundation level purposes only. As a result of this type of approach to State support for public education, the State of New York apportions over 1 billion dollars annually to local school districts with few directions as to the exact expenditure purposes for which such moneys are to be used.

In contrast, however, is the current federal philosophy of support for public education. Inasmuch as education is legally and historically a State responsibility, the national government at present supports no fiscal program which reflects a national responsibility for the education of all children in all states. Rather Federal aid is termed categorical aid - that is, fiscal support for programs which are designed to achieve narrowly defined educational purposes. Why does the Federal government support certain educational areas and not others - quite simply stated, because there are areas deemed to be of particular national interest which are not being adequately met at the State ow local levels. Stated otherwise, the sum of all state and local interests do not necessarily equal the national interest.

To appreciate what is viewed to be unmet national interests in education and to therefore more fully evaluate the recent growth of Federal aid programs, it is important to be aware of the societal trends of the past few years. Briefly a few of these may be listed as follows:

national defense
industrial automation
equal opportunity
urban blight

The concern for the national defense and our educational posture began

in 1957 when the Russians launched their first sputnick and the race in space also became a race in science, mathematics and modern foreign language. The first educational result of the race was the National Defense Education Act of 1958. The shifts in industrial technology have forced the Federal Government to introduce programs to rescue the unemployed. This concept of Federal responsibility of course is an outgrowth of the legislation of the depression years. As unemployment has obvious economic and social costs far beyond the immediate costs of programs for vocational retraining, the Federal interest for educational programs of this nature has a strong economic as well as moral basis. An example of a program of this type is the Manpower Development and Training Act.

Concerns about the measure of equal opportunity given to members of minority groups have gained national attention in recent years. Judicial abandonment of the "separate but equal" doctrine for Negroes and court decisions on prayer and Bible reading underscore the national dedication to the protection of minority rights. School officials must continue to be aware of these matters in the development of school district policies.

Finally, the continuous growth of the central cities and increasing crime rates, racial tensions and riots have served to focus attention on the blight of the cities. It is defficult to continue to think of these problems as solely those of the city school district.

A decade ago when the New York State Education Department referred to Federal aid to education, the concept embraced four basic programs and approximately 13 million dollars in aid to the State's public elementary and secondary schools. In very recent years, however, the term "Federal aid" has become identified with more than two dozen separate educational programs and contributes annually over 200 million dollars to special elementary and secondary educational programs in New York State. It appears, at times, to have no sense of direction, no point of reference, and no respect for the traditional boundaries of public education. Many Federal programs are not originated from the United States Office of Education. Several of those which do are not administered through the State Education Departments. Some educational programs are associated with neither the United States Office of Education nor with the individual State Education Departments.

Federal aid has thus tended to develop without an overall plan, acting in response rather to immediate national concerns for education. A brief analysis of the various methods of allocation of Federal funds by the Federal government among the various acts clearly illustrates this fact:

METHOD A - Allocation of Federal funds directly to State Educational Agency from U.S. Office of Education and amount of local educational agency's allocation computed by State Educational Agency under formula stipulated in Federal law and Federal Rules and Regulations. This particular allocation method used under Title I of Elementary and Secondary Education Act.

METHOD B - Allocation of Federal funds directly to State Educational Agency from U.S. Office of Education but amount of local educational agency's allocation not specified by Federal agency. The unused portion of local educational agency's allocation available for use by another local agency. This allocation method used under Title II of Elementary and Secondary Education Act; Title III of National Defense Education Act; Title V-A of National Defense Education Act; Vocational Education Act; Title I of Library Services and Construction Act; National School Lunch Act and Title II-B of Economic Opportunity Act.

METHOD C - Allocation of Federal funds not directly to State Educational Agency but to local educational agency from U.S. Office of Education based upon individual Federal project. Federal funds for project, however, channeled through State Educational Agency. The unused portion of local educational agency's allocation not available for use by another local agency or project. This allocation method used under Manpower Development and Training Act and Title II of Library Services and Construction Act.

METHOD D - Allocation of Federal funds not directly to State Educational Agency but to local educational agency from U.S. Office of Education based upon individual Federal project. Federal funds for project not channeled through State Educational Agency. The unused portion of local educational agency's allocation not available for use by another local agency or project. This allocation method used under Cooperative Research Act; Title III of Elementary and Secondary Education Act; Public Laws 815 and 874; and Title V of Higher Education Act.

METHOD E - Allocation of Federal funds not to State Educational Agency or local educational agency from U.S. Office of Education but directly to State Educational Agency from another Federal governmental agency (other than Office of Education). The amount of local educational agency's allocation not specified by Federal agency. The unused portion of local educational agency's allocation available for use by another local agency. This allocation method used under portions of Title III-B of Economic Opportunity Act.

METHOD F - Allocation of Federal funds not to State Educational Agency or local educational agency from U.S. Office of Education but directly to local educational agency from another Federal governmental agency (other than Office of Education) based upon individual Federal project. Federal funds not channeled through State Educational Agency. The unused portion of local educational agency's allocation not available for use by another local agency or project. This allocation method used under Title I-B of Economic Opportunity Act; Title II-A of Economic Opportunity Act and portions of Title III-B of Economic Opportunity Act.

The purpose of this Handbook is to serve as a source of reference to the local educational administrator who is either contemplating or offering a special Federal aid program. While considerable effort has been made to include herein all conceivable Federal aid programs affecting local educational agencies, no guarantee is offered that this has been achieved.

The Handbook is divided into two separate books. Part I identifies the many programs by subject area served, and is designed to serve the administrator as a quick guide to provisions, regulations, and procedures regarding Federal aid by subject areas served. Part II presents a more detailed summary of the Federal Acts by which programs are supported. It is anticipated that this book will continue to be revised annually.

II. CHRONOLOGICAL OUTLINE OF FEDERAL LEGISLATION

The following list of actions on the part of the Federal Government is intended to provide a larger view of the background to Federal Aid to Education as it presently exists. Necessarily omitted from the array are many legislative proposals which were defeated, and the cited instances of temporary or permanent enactments of programs or policies are not represented as being complete nor all-inclusive.

1777 Establishment of a policy of instruction for military personnel.

1783 Proposals for the Settlement of the Ohio Territory. Article VII recommended the establishment of schools and academies supported by the disposal of surplus public lands.

1785 The Ordinance of 1785. Reserved Lot Number 16 of each township for school usage. Extended aid to Territories (later to States) by the endowment of schools with public lands.

1787 Endowment of certain public institutions of higher education with public lands.

1800 Founding of the nucleus of the Library of Congress with the first Congressional appropriation for books.

1802 The Enabling Act for Ohio. The agreement of Ohio at entering the Union to the land grant conditions of the Ordinance of 1785.

1802 Establishment of the Military Academy at West Point.

1804 Initiation of Federal provisions for education within the District of Columbia.

1824 Establishment of the first Army Special Service School.

1830 Forty-seven million dollars spent by Andrew Jackson for the purpose of building classrooms.

1845 Establishment of the Naval Academy at Annapolis.

1857 The Morrill Act. Proposed land grants to States for agricultural and industrial education purposes. (Defeated)

1862 The Morrill Act. Enacted aid to States through land grants for colleges to further agricultural and industrial education.

1864 Establishment of the Freedmen's Bureau. Accepted the Federal responsibility to educate Negroes freed from slavery.

1867 Establishment of the United States Department of Education.

1868 Reduction of the United States Department of Education to Bureau status, redesignated, Office of Education.

1870 The Hoar Bill. Proposed the compulsion of satisfactory school systems in all the States; a national school system. (Defeated)

1872 The Perce Bill. Proposed a perpetual fund to be used to provide wages for teachers. (Defeated)

1879 Establishment of a Federal School for Engravers.

1879 The Burnside Bill. Proposed support for national colleges to advance scientific and industrial education and to train common school teachers. (Defeated)

1882 The Blair Bills. Proposed a matching aid to common schools payable in proportion to the rates of illiteracy of each State with regard to the rates of the United States. (Defeated)

1887 The Hatch Act. Established agricultural experimental stations.

1888 The Blair Bills. Continued to propose matching aid to common schools based upon illiteracy rates. (Defeated)

1893 Establishment of the Army Medical School.

1901 Establishment of the Army War College.

1907 The Davis Bill. Proposed a Federal system of vocational schools. (Defeated)

1911 Established Federal matching aid to States for nautical schools.

1912 The Page Bill. Proposed a Federal system of vocational schools (Defeated)

1914 The Smith-Lever Act. Appropriated Federal funds to improve rural living by sponsoring investigative and information services relating to home economics and agriculture.

1915 Establishment of the Coast Guard Academy.

1916 Establishment of the Army Reserve Officers Training Corps.

1917 The Smith-Hughes Act. Established the promotion of vocational education at grades below the college level.

1918 The Smith-Sears Vocational Rehabilitation Act. Initiated training for the rehabilitation of disabled veterans.

1919 Origination of Federal Surplus Property rrogram for the disposal of property surplus for the benefit of educational institutions.

1919 The Smith-Towner Bill. Proposed the return of the Office of Education to Department status and the payment of Federal aid to the public schools. (Defeated)

1920 Establishment of the Graduate School of the Department of Agriculture.

1920 The Smith-Bankhead Act. Established a policy of Federal and State cooperation for vocational rehabilitation, including people who had been disabled in industry.

1921 The Sterling-Towner Bill. Proposed Department status for the Office of Education and financial aid for public schools. (Defeated)

1923 The Sterling-Reed Bill. Proposed Department status for the Office of Education and financial aid for public schools. (Defeated)

1924 The Clark-McNary Act. Provided increased funds for the implementation of the Smith-Lever Act.

1926 Establishment of the Naval Reserve Officers Training Corps.

1928 The Capper-Kitchener Act. Provided further increased funds to extend the Smith-Lever Act.

1929 The George-Reed Act. Authorized additional funds for vocational education under the Smith-Hughes Act.

1933 Authorized work scholarships for students in universitites under the Emergency Relief Administration.

1934 The George-Ellzey Act. Extended additional funds for vocational education under the Smith-Hughes Act.

1935 Organization of the National Youth Administration under the Works Progress Administration which provided college and secondary school financial assistance for youth and auxiliary services, such as guidance, testing, and work experience for youths out of school.

1935 The Bankhead-Jones Act. Provided additional funds to implement the Smith-Lever Act.

1936 The Harrison-Black-Fletcher Bill. Proposed general aid to public elementary and secondary schools. (Defeated)

1936 Established the entrance of the United States into international educational exchanges.

1937 Established the Civilian Conservation Corps which sponsored programs of vocational educational exchanges.

1937 The George-Deen Act. Authorized additional funds for vocational education, including provision for distributive education benefits.

1938 The Harris-Thomas-Fletcher Bill. Proposed general aid to public elementary and secondary schools. (Defeated)

1939 The Civilian Pilot Training Act. Provided for the training of civilian pilots in cooperation with colleges.

1941 The Lanham Act. Provided for some school housing within housing measures sponsored for war-industry impacted areas.

1942 Establishment of the Armed Forces Institute.

1943 The Educational Finance Act of 1943. Proposed an apportionment of Federal funds to States by a formula based upon financial need and average daily attendance in public elementary and secondary schools. (Defeated)

1943 Establishment of the Army Specialized Training Program.

1944 The Servicemen's Readjustment Act. Provided for subsidized education and training for veterans.

1944 The Surplus Property Act. Provided a broad policy in the disposal of goverment surplus property for health, educational, and civil defense purposes.

1946 The National School Lunch Act. Provided funds for the establishment and operation of school lunch programs.

1946 The George-Barden Act. Provided additional funds with cooperative Federal-State action in vocational education.

1946 The Atomic Energy Act. Provided fellowships for education under the direction of the Atomic Energy Commission.

1946 The Fullbright Act. Provided for international educational exchanges.

1946 Establishment of membership of the United States in the United Nations Educational, Scientific and Cultural Organization (UNESCO).

1946 The Thomas-Hill-Taft Bill. Proposed general aid to public elementary and secondary schools. (Defeated)

1948 The Smith-Mundt Act. Established an expanded program for international educational exchanges.

1950 Public Law 815. Provided Federal funds for public school construction in Federally impacted areas.

1950 Public Law 874. Provided Federal funds for public school operating expenses in Federally impacted areas.

1950 The Housing Act. Provided the beginning of the college housing loans program.

1952 Establishment of the fellowship program of the National Science Foundation.

1954 Establishment of the Air Force Academy.

1956 The Library Services Act. Provided grants to the States for the improvement of public library services in rural areas.

1958 The National Defense Education Act. Established a broad program of financial assistance for the stimulation of specific areas pertinent to the national interest.

1959 The Murray-Metcalf Bill. Proposed allocations for public school construction and teacher's salaries. (Defeated)

1961 The School Assistance Bill. Proposed allocations for public school construction and teacher's salaries. (Defeated)

1962 The Manpower Development and Training Act. Provided a program of training for unemployed or underemployed persons to enable them to become wage-earning citizens.

1962 The Public Welfare Act. Provided a program of literacy training for public welfare recipients.

1963 The Higher Education Facilities Act. Provided funds to higher education institutes to construct classrooms, laboratories, and libraries.

1963 The Vocational Education Act of 1963. Provided additional funds for vocational education designed to serve particular groups within the population.

1963 The Library Services and Construction Act. Provided funds to States for the extension and construction of public library facilities.

1964 The Economic Opportunity Act. Provided some educational programs under the anti-poverty program to rehabilitate chronic poverty groups.

1965 The Elementary and Secondary Act. Provided Federal funds to local agencies by a formula based upon per pupil expenditure and the number of children from families with low incomes.

1965 The Higher Education Act. Provided funds to strengthen the educational resources of colleges and universities and to provide financial assistance to students in postsecondary and higher education.

1965 Public Works and Economic Development Act. Provided funds for establishing and operating projects in certain areas designated by need.

1966 Child Nutrition Act. Provided funds for the establishment and operation of breakfast, and lunch program, including necessary equipment.

1966 Adult Education Act of 1966. Provided funds to establish and expand programs in basic education for adults without high school diplomas.

1966 Veterans Readjustment Benefits Act of 1966. Provided for subsidized education and training for veterans with active duty after Jan. 31, 1955.

1966 Demonstration Cities and Metropolitan Development Act of 1966. Provided funds to cities having comprehensive demonstration programs in rebuilding slum areas.

1966 International Education Act. Authorized funds, to higher education institutions to establish and operate centers for international studies and research.

III. Federal Fund Accounting

There are two separate types of accounting with which local educational agencies must be concerned in the handling of Federal funds: (1) internal accounting and (2) Federal audit accounting.

INTERNAL ACCOUNTING

Most local agencies receiving Federal grants in New York State are required to maintain ledger accounts in a manner prescribed by State Law. Inasmuch as most recipients of such grants are public school districts, this section shall deal solely with the accounting system prescribed for such agencies. The general principles of accounting involved, however, should have multiple application.

School districts in New York State are required to maintain district ledger accounts in accordance with the State Uniform System of Accounts for School Districts, Double Entry Basis. Within this system of accounts, a separate Federal Aid Fund is required for projects operated under the following Federal programs:

Name of Program	Account Code
Vocational Education	F4110
Research in Vocational Education	F4111
Workstudy for Vocational Students	F4112
NDEA Guidance, Counseling & Testing (Special Projects)	F4122
Manpower Development and Training	F4160
Work Training (Neighborhood Youth Corps)	F4170
Adult Basic Education	F4171
Migrant Children	F4172
Community Action	F4173-4175
Welfare-Education Programs	F4180
Cooperative Research Program	F4181
ESEA I	F4210
Library Resources, Textbooks & Other (ESEA II)	F4211
Supplementary Educational Centers & Svc. (ESEA III)	F4212
Handicapped Children	F4213
National Foundation for the Arts & Humanities Act	F4220

For funds received under the George-Barden Act, P.L. 815, P.L. 874 and

NDEA-III, however, the Federal Aid Fund is not to be used. Rather such money for these four programs will be accounted for directly within the regular district General Fund.

Inquiries relative to internal accounting procedures for Federal projects should be directed to the Division of Educational Management, New York State Education Department.

FEDERAL AUDIT ACCOUNTING

At some time at the completion of a Federal project, an accounting of actual expenditure incurred must be made for Federal audit purposes. Due to the fact that this audit is performed by the direction of the Federal government, the categories of expense to be verified do not normally follow the State expenditure categories established for internal accounting purposes. Rather the expenditure categories follow the Federally recommended system of Financial Accounting for Local and State School Systems. (Handbook II, U.S. Department of H.E.W.)

For Federal programs funded through the New York State Education Department, the accounting standards for purposes of Federal audit are established through the Division of Educational Finance, New York State Education Department. The balance of this chapter shall detail the fiscal guidelines established by the Division of Educational Finance for those Federal programs for which they have direct audit responsibility. Specifically, those programs are as follows:

Title III - National Defense Education Act
Title V-A - National Defense Education Act
Manpower Development and Training Act
Welfare-Education Act
Vocational Education Act

Library Services and Construction Act
Adult Basic Education Act
Title IIIB - Economic Opportunity Act
Title I - Elementary and Secondary Education Act
Title II - Elementary and Secondary Education Act
Title III - Elementary and Secondary Education Act
Title VI - Elementary and Secondary Education Act
Title I - Higher Education Act
National Foundation of Arts and Humanities Act

It is not intended that these guidelines should have direct application to any other Federal programs.

Upon completion of all expenditures for an individual Federal project, a final statement of expenditures must be filed for audit with the Division of Educational Finance of the State Education Department. The documentation of costs claimed within such final statement of expenditures should be in accordance with the following guidelines.

General Criteria - To be considered allowable, costs must meet the following general criteria:

a. Be necessary for proper and efficient administration of the special program and be allocable thereto under the principles provided herein.
b. Be permissible under State laws and regulations.
c. Conform to any limitations or exclusions set forth in these principles, Federal laws or other governing limitations as to types or amounts of cost items.
d. Be reasonable.
e. Must not result in a profit to local agency.
f. Must not be included as a cost of any other Federal or State special aid project.

Responsibility for Federal Accountability - Federal projects do not operate outside the jurisdiction of the local board of education (or any other governing body for that matter). Federal project expenditures are subject to the same scrutiny as all other expenditures of the local educational agency. The local board of education must, in the final analysis, be accountable for the proper disbursement of Federal project funds. Established board policy governing teacher's wages, mileage and travel allowances, overtime compensation or fringe benefits as well as State rules pertaining to competitive bidding, safety regulations, or inventory control must be followed. (Special Note: Teachers employed on a ten month basis and employed during the summer months in a professional capacity should be compensated at a per diem basis of 1/200 of annual salary or at a monthly rate of 1/10 of annual salary. Under State salary law, regular salary employment begins September 1 and terminates June 30).

Budget Amendments - It is anticipated that, during the course of project operation, unforeseen circumstances will require budget amendment. Generally, all internal budget transfers causing an increase of ten or more percent in the original budget subtotal (as identified on the budget form) must be presented for approval to the program administrator in the State Education Department before local commitment is made for such increases. In addition, any changes in the number of or type of personnel items within the budget or changes in the number of or kinds of equipment (having a unit value of $50.00 or more) must also be presented for Department approval before such commitment is made at the local level.

Prior Approval - No commitments should be made against a Federal project prior to the date of project approval. For purposes of Federal aid, a commitment is made on the date the local educational agency issues a purchase order or signs a contract or has personal services performed. This rule also applies to those budget amendments noted above.

Incurrance and Liquidation of Project Commitments - Generally, Federal projects, unless otherwise stated, are funded from Federal moneys appropriated according to Federal fiscal year. Therefore, fiscal '67 Federal programs are financed from moneys appropriated for the Federal fiscal year beginning July 1, 1966 and ending June 30, 1967. The moneys are therefore usually available for obligations incurred during this period of time for projects to be operated within such period. This, therefore, means that all purchase orders or contracts have to be issued or personal services rendered during the Federal fiscal year of funding. (NOTE: MDT and Adult Basic Education projects excepted.) In the case of rental, the period of rental use determines the basis for obligation. Agencies operating Federal programs during this time are allowed 14½ months following the close of the Federal fiscal year of funding in which to liquidate all outstanding project obligations. For fiscal '67 Federal projects, therefore, a local agency will have until September 15, 1968 in which to pay all bills under contract or purchase order. In the case of major construction projects, two years may be allowed for purposes of liquidation. SPECIAL NOTE: Beginning with Fiscal year 1968 (July 1, 1967-June 30, 1968) the period of liquidation shall be decreased to 12 months following the close of the Federal fiscal year of funding. The exception for major construction however will not change.

Changes for Full-Time Personnel - No full-time personnel may be reimbursed for his work under a Federally Aided Program if he were employed in the same or similar position prior to the implementation of the Federal program. Reimbursement for the work of an employee under a Federally Aided Program may be proper when the individual to be paid has been replaced in his former position, or is new to the school district as a result of the creation of a new position due to the Federal program activities. With this in mind, it should be noted that a full-time employee's salary should not be increased or supported in part through the use of Federal funds merely because one is engaged in Federal program work. Remuneration for the work of a regular full-time employee for work performed on Federal Program activities is only proper when

1. The regular employee is relieved of some or all of his former duties and a replacement is engaged to assume them, or
2. The regular employee is engaged by the local board of education to perform Federal program activities which are in addition to his regular duties. The nature of such duties and the time at which they are to be carried out should in no way coincide with or duplicate the requirements for, or job description of, his regular position, as developed prior to the school district's involvement in the Federal program, or
3. The regular employee is engaged in a full-time position created by a need arising from development of a federal program, as stated above.

Regular administrative personnel under contract or on a fixed salary, responding to the demands of a position without regard to hour or day therefore should not receive additional compensation for the administrative duties of a Federal project.

Substantiation of Personnel Costs - While duplicate copies of payroll records need not be filed with the final statement of expenditures, the salary earned and paid to each individual employed under the project must be accounted for as to (a) name of individual, (b) title of position held, (c) rate of pay, (d) length of employment and (e) total amounts paid for project activities. In addition the local agency's contribution for employees' retirement, social security and health insurance must also be itemized on an individual basis.

In those cases in which it is necessary to prorate an employee's salary to more than one program or project, such proration must be based upon the amount of time an individual actually devotes to one program or project and therefore must be documented by an after-the-fact statement of actual time such employee did devote to the program, signed by the responsible official.

Personnel services provided by one or two positions one month before the actual operation of the beginning date of a project and one month after the termination date of a project will normally be acceptable for audit. In no event, however, will personnel services be honored prior to the date of project approval or subsequent to the end of the fiscal year in which the project was funded.

Purchase Orders - In most Federal projects purchase orders should be initiated before the close of the fiscal year for which the project was funded, and in no event should the date of the purchase order precede the date of project approval.

Heat, Light or Water - In claiming expenditures for heat, light or water, the cost must be directly identifiable with and attributable to the Federal project. This establishes three criteria for claiming reimbursement for such costs:

A. If the building is used exclusively for the Federal project, a copy of the appropriate bills must accompany the final report of expenditures.

B. If the building is used solely as a special project center and several Federal projects or programs are operable there, the proration of such costs for each project must be based on the percentage of total project time the Federal project operated. Copies of appropriate bills must be presented.

C. If the building is not a separate special project facility (but more likely a regular school building), costs under this category are allowable only if the Federal project operated at a time when no other educational program or activities were offered. A statement to this effect, along with appropriate bills must accompany the final report of expenditures. Cost should be prorated as follows:

$$\frac{\text{No. of Project Hours Only Federal Project in Operation}}{\text{No. of Class Hours All Classes in Operation}} \times \text{Appropriate Bills for Period of Time Federal Project Operated}$$

***NOTE: Class Hours computed as follows: Class x No. of Hours Operated = Class Hours. If one class operated 25 hours, ten classes operating the same length of time would equal 250 class hours.**

Transportation Expenses -

A. Administrative and Supervisory - Approved expenditures in this category need be identified only as to (a) purpose of travel, (b) dates of travel and (c) name of traveler. A copy of the travel statement provided to the board of education for payment should accompany the final report of expenditures.

B. Pupil Transportation - When local agencies provide their own school bus transportation for a project, reimbursement shall be computed at the rate of 10 cents per mile for gas, oil, depreciation and insurance. Only the salaries of bus drivers shall be allowed in addition to such cost, and these should be reported to reflect wages paid to such drivers for the service. In the case of contracted services, a copy of the transportation contract must be provided.

Expenditures for Equipment and Supplies - Duplicate copies of itemized invoices or vendor's bills substantiating such purchases must accompany the final statement of expenditures. In addition to the actual cost of each item, costs of shipment are considered eligible as part of the purchase price of such items and are eligible for Federal reimbursement.

In the event that certain supplies are drawn from central storage in direct support of the Federal project, a copy of the requisition or central storage supply receipt must accompany the final statement of expenditures. Each requisition or receipt must clearly indicate the Federal project charged

and a statement of the latest unit cost of such items must be enclosed over the signature of the chief administrator. If a local agency so desires, a statement of this nature may be filed annually with the Division of Educational Finance for all Federal projects.

Telephone Expenses - Unless the Federal project necessitated the installation of separate telephone facilities, normal monthly telephone charges may not be prorated and charged as a project expense. In the case of long distance charges, however, these expenditures will be allowed if a copy of the telephone bill itemizing such toll calls is presented with the final statement of expenditures. Each long distance call must be identified as to name of caller and purpose of such call. The name of the building must be clearly identified.

Other Costs of Communication - Routine office mailing relative to this Federal project are not considered eligible for Federal reimbursement purposes. However, costs incurred for special mailings are eligible and should be itemized as to (a) purpose of mailing and (b) number of pieces mailed.

Rental of Building Space - A copy of the contract under which the rental costs were authorized must accompany the final statement of expenditures. Rental costs are not allowable if the local agency is charging rent to itself or is charged by any political division of which it is a part.

Construction Grants - The following Federal directions should be followed: (1) upon completion of the construction, title to the facilities will be in and retained by the local educational agency and the building will be operated and used for the educational and related purposes for which it was constructed for a period of not less than twenty years; (2) construction approved pursuant to the project proposal will be undertaken promptly; (3) contracts for the construction approved pursuant to the project proposal will provide that all laborers and mechanics employed by contractors or subcontractors shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276-276a - 5); and that the nondiscrimination in employment clause prescribed by Executive Order No. 11246 of September 24, 1965 (30 FR 12319), will be incorporated in any contract for construction work as defined in said Executive Order; (4) construction work will be contracted for, and performed, according to State-local rules and regulations; (5) architectural or engineering supervision and inspection will be provided at the construction site to insure that the completed work conforms to the approved plans and specifications; and (6) the local educational agency has or will have a fee simple or such other estate or interest in the site, including access thereto, as is sufficient to assure undisturbed use and possession of the facility for not less than twenty years from the date of the completion of the construction approved pursuant to the Project.

Compliance with the above provisions shall be attested to by the local educational agency and such certification be made available for audit upon completion of project expenditures. All appropriate requirements of the New York State Education Law and the Commissioners Regulations also are applicable to this construction project and therefore contact should be made with the Division of Educational Facilities Planning for their review and approval prior to construction.

Earned Interest - In the event that Federal funds are placed for interest, such earned interest cannot be transferred into the general fund account. Rather the amount of the such earned interest should be made payable to the "Treasury of the State of New York" and forwarded to the Division of Educational

Finance by the end of each school fiscal year. This amount in turn will be credited to the Federal government.

Paid Interest - No Federal funds can be granted for any interest charges incurred by the school district on behalf of a Federal project.

Reopening of Audits - After an audit has been completed and the local agency has been notified of the amount of audited final expenditure, additional information may justify reopening the audit. A local agency supplying such additional documentation must do so within three months of the date of notification of the final audit results.

Payment Information - All expenditures claimed for reimbursement must be clearly identified as to the following payment information: check number, date of check and amount paid. A duplicate copy of the check is not required as part of the final statement of expenditures.

NOTE: IN AUDITING AND ACCOUNTING FOR FEDERAL AID PROJECTS, THE TERM "DIRECT EXPENSES" IS FREQUENTLY USED. DIRECT EXPENSES ARE THOSE ELEMENTS OF COST WHICH CAN BE EASILY, OBVIOUSLY, AND CONVENIENTLY IDENTIFIED AS BEING ATTRIBUTABLE TO SPECIFIC ACTIVITIES OR SPECIAL PROGRAMS.

IV. BOOK ONE

Guide to Federal Programs According to Program Areas Served

Purpose of Guide to Federal Programs

The attempt has been made in Part I to identify the major educational program areas for which Federal funds are available - either through direct grants for program operations or through special arrangements for the training of teachers - whether the administering agency is the State Education Department or an agency of the Federal Government.

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1. Adult Basic Education

I. **Federal Program:** Adult Basic Education

II. **Reference to Law:** Pages 321-323; Adult Education Act of 1966 (P.L. 89-750)

III. **Eligible Participants:** Public school district - program for Adults 18 years of age and over who have less than an eighth grade competency in reading.

IV. **Basic Provisions:** Full reimbursement to public schools for approved expenditures necessary for the organization and operation of basic education classes for adults dealing mainly with reading, writing and arithmetic.

V. **Significant Rules and Regulations:**

1. School districts will be expected to organize and use community and agency leaders for the recruitment of adult students.
2. Organize classes any time of the year, on day or evening schedules, in any section of the school district for 10 or more adult students.
3. Organize classes on four instructional levels - Basic Level (grades 0-2), Primary Level (grades 3-4), Intermediate Level (grades 5-6) and Upper Level (grades 7-8) - for at least 200 hours of class instruction for each instructional level.
4. Organize an instructional program primarily designed for instruction in reading, writing and arithmetic and accompany the instructional program by an organized testing program.
5. Provide adequate, competent and certified teachers, supervision and guidance services to assure high quality instruction in all classes at all levels.

VI. **Available Publications on Program:**

Advisory Bulletin Nos. 1, 2, 3, 4 and 5 prepared by and available from the Bureau of Basic Continuing Education, New York State Education Department.

VII. Procedures for Applying for Approval: To operate adult basic education programs under the Economic Opportunity Act and become eligible for financial reimbursement, an application and program budget (forms provided) bearing the signature of the superintendent or supervising principal must be submitted to the Bureau of Basic Continuing Education for approval (see ADVISORY BULLETIN #1 which has been sent to all superintendents, supervising principals and directors of adult education).

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated to the State and, in turn, are disbursed to boards of education through the State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: No local matching funds required. 90% Federal funds - 10% State funds.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local agency on the basis of purchase orders to be issued or contracts to be entered into during a July 1 - June 30 fiscal period or, in the case of services, for services to be performed in positions approved by the local board of education on or prior to June 30 of such fiscal year. Such encumbrance is established at the State level via form FA-452(1) ADULT BASIC EDUCATION PROGRAM BUDGET and is based on the total cost of approved program expenditures identified therein.
2. On the basis of an approved budget, a 50% advance of funds will be made to the local agency.
3. A supplemental 25% advance may be requested at a later date upon satisfactory progression of the program and local need for such funds to continue program operations.

4. A final reimbursement of actual costs incurred will be made at the conclusion of the project on form FA-452(2) CLAIM FOR REIMBURSEMENT UNDER ADULT BASIC EDUCATION PROGRAM. The difference between the amounts actually spent and the amount of advances made by the State will be the amount of final reimbursement.

5. An encumbrance established at the State level for a local educational agency must be liquidated by such agency 14½ months following the close of the fiscal year in which such encumbrance was established. For purposes of this program, an encumbrance is considered liquidated on the date the check is drawn for payment by the local agency.

XI. Administrative Agency: Bureau of Basic Continuing Education, New York State Education Department. Mr. Alfred T. Houghton, Chief.

I. **Federal Program:** Welfare-Education Program

II. **Reference to Law:** Pages 259-260; Public Welfare Amendments (1962)

III. **Eligible Participants:** Public school districts - program for adults on public assistance who are 16 years of age or older with less than an eighth grade competency in reading and who are not enrolled in regular public or private schools.

IV. **Basic Provisions:** Full reimbursement for approved expenditures for the operation of classes for undereducated welfare adults.

V. **Significant Rules and Regulations:**

1. Local welfare agencies will recruit eligible adult students for literacy and basic education.
2. The school district will provide classes for not less than 10 such students, provide certified teachers, suitable instructional material, guidance and supervisory services and a testing program.

VI. **Available Publications on Program:**

Appropriate Memos and Bulletins prepared by and available from the Bureau of Basic Continuing Education, New York State Education Department.

VII. **Procedures for Applying for Approval:** To participate in and become eligible for reimbursement through the State Welfare-Education Program for providing literacy and basic education for welfare adults, a school district must submit application forms, a program plan, a cost and financial aid estimate and a request for advance payment over the signature of the superintendent or supervising principal.

VIII. **Disbursement of Federal Funds:** Federal funds are disbursed to local school districts through the State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: No local matching funds required. Federal and State share determined by welfare status of individual student.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local educational agency on the basis of fiscal obligations to be incurred in the operation of program and reported to State Education Department via form AE-2 PROGRAM PLAN AND COST ESTIMATE. The encumbered amount is equivalent to the total cost of the approved expenditures identified therein.
2. On the basis of an approved budget, a 50% advance of funds will be made to the local agency.
3. A supplemental 25% advance may be requested at a later date upon satisfactory progression of the program and local need for such funds to continue program operations.
4. A final reimbursement of actual costs incurred will be made at the conclusion of the project on form FA-963 FINAL CLAIM FOR REIMBURSEMENT. The difference between the amounts actually spent and the amount of advances made by the State will be the amount of final reimbursement.
5. An encumbrance established at the State level for a local educational agency must be liquidated by such agency 14½ months following the close of the fiscal year in which such encumbrance was established. For purposes of this program, an encumbrance is considered liquidated on the date the check is drawn for payment by the local agency.

XI. Administrative Agency: The Bureau of Basic Continuing Education, New York State Education Department. Mr. Alfred T. Houghton, Chief. (518-474-3983)

3. Manpower Development and Training

I. Federal Program: Manpower Development and Training

II. Reference to Law: Pages 245-253;Title II Manpower Development and Training Act.

III. Eligible Participants: Public and private schools on all levels including secondary, post-secondary, community college, and higher education facilities.

IV. Basic Provisions: The Act is jointly administered by the State Education Department and the State Employment Service. Practically all justifiable costs such as personnel, facility, equipment, and supplies are eligible.

V. Significant Rules and Regulations:

1. Funds are available for training only out-of-school youth (16-21 years of age) and adults.
2. No training is authorized until justified by local employment service offices. These offices must locate known job opportunities and potential candidates for training. This is done through a survey form identified as an MT-1.
3. This information (form MT-1) is relayed to the State Education Department and it serves as an authorization to locate a local training facility for the conduct of the training identified in the MT-1.

VI. Available Publications on Program: A Guide to the Manpower Development and Training Act, published by the New York State Education Department and an Explanation of the Manpower Development and Training Act are available from the New York State Education Department or from the United States Labor Department.

VII. Procedures in Applying for Approval: Form MT-1 is transmitted to the local education authorities by the State Education Department. This becomes the basis for the development of a training plan and a budget. After the training plan and the budget are reviewed by the State Vocational Education agency and approved by the Federal agency, the local education agency is authorized to purchase equipment and to hire personnel. All State and local laws must be adhered to in the conduct of the training program.

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated on an individual project basis and are disbursed to local educational agencies through the State Education Department. In New York State such disbursements are made through the State Education Department's Division of Educational Finance.

IX. Local Matching Provisions: 100% Federal Funds

X. Fiscal Procedures:

1. Federal funds are encumbered by fiscal year in the amount of project approvals based upon completed budget estimates.
2. Upon Federal approval of a project, the first advance payment may be requested through the Bureau of Manpower Development. The amount of such advance may be up to 100% of category 4, OE-4000 (equipment purchase items) plus 50% of all other costs not to exceed 75% of the total project costs. The request must be accompanied by three completed copies of form FA-25-AP, Request for Advance Payment.
3. Upon completion of one half of the project, a sum equivalent to the difference between the first payment and 75% of the total project cost may be requested by filing two copies of the "REQUEST FOR ADVANCE PAYMENT" form.

4. Requests for additional advance payments will be honored only in the event that approved budget changes result in a total budget increase of 15% or more.

5. At the close of the project, final reimbursement should be requested through the Bureau of Manpower Development. Three completed copies of form FA-940 should be accompanied by one complete set of invoices and proof of payment for expense eligible for reimbursement. The difference between the audited actual cost of the project and the sum of the advances made will determine the amount of the final payment.

6. The encumbrance established by Federal project approval for a given fiscal year must be liquidated within 14½ months of the close of the fiscal year in which the project closes.

7. Where training is provided under special circumstances or with private agencies by contract, funds are disbursed according to the terms of the agreement or the contract drawn.

XI. Administrative Agency: The Bureau of Manpower Development, New York State Education Department, Mr. Carl G. Benenati, Chief. (518-474-3641)

I. **Federal Program:** Financial Aid for School Construction in Areas Affected by Federal Activity.

II. **Reference to Law:** Pages 221-226; Public Law 815, School Construction in Areas Affected by Federal Activities.

III. **Eligible Participants:** Public School Districts

IV. **Basic Provisions:** Either of the following may constitute a basis for eligibility:

1. An increase - over a four-year increase period - in the membership of "federally connected" children of at least twenty (20) in number and equal to at least 6 percent of the district's total average daily membership in the base year, i.e., the school year preceding the 4-year increase period (section 5 of law); or
2. Location with a major disaster area (section 16 of law).

V. **Significant Rules and Regulations Relative to Section 5:**

1. There are three categories of "federally connected" school children which may be considered in determining the eligibility of local educational agencies. These are as follows:

   Category 5(a)(1) - Pupils who reside on Federal property and who (A) so reside with a parent employed on Federal property or (B) have a parent on active duty in the uniformed services;

   Category 5(a)(2) - Pupils who (A) reside on Federal property or (B) reside with a parent employed on Federal property or (C) have a parent on active duty in the uniformed services;

Category 5(a)(3) - Pupils whose attendance is due to activities of the United States carried on directly or through a contractor.

2. "To be eligible for a grant of funds under subsection 5(a)(1) and/or 5(a)(2) categories, a school district must have an increase" - over a 4-year increase period" - in the membership of children in one or both of these categories of at least twenty (20) in number and equal to at least 6 percent of the district's total average daily membership in the base year," i.e., the school year preceding the 4-year increase period. To be eligible for a grant of funds under subsection 5(a)(3), the estimated membership increase in the 4-year period must be at least twenty (20) in number and equal to at least 10 percent of the total average daily membership in the base year. The increases under subsections 5(a)(1) and 5(a)(2) may be combined to achieve eligibility; payments then are computed separately under each of subsections 5(a)(1) and 5(a)(2) to give districts the benefit of a higher per-pupil payment under subsection 5(a)(1).

3. To be eligible for a maximum entitlement, a school district must absorb an increase of 6 percent in non-Federal membership during a 4-year increase period. Should a district fail to meet this requirement, "the difference between 106 percent of the non-Federal average daily membership in the base year and the non-Federal membership as of the end of the increase period is deducted from the number of eligible federally connected children under subsections 5(a)(1), 5(a)(2), and 5(a)(3) in determining the number of pupils counted for payment."

4. The "amount of Federal funds approved for payment under section 5" is "limited to the actual cost of constructing minimum school facilities

in the applicant district for children who otherwise would be without such facilities at the close of the second year following the close of the increase period." Children who are "without minimum school facilities" are defined by regulation as those children in membership in the schools of a district in excess of the normal capacity of available and usable minimum school facilities."

5. "Federal property" means "real property which is owned . . . or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State . . . ."
6. Pupil surveys must be conducted to establish membership totals. This survey procedure is identical to that prescribed for Public Law 874.
7. Contingent upon the circumstances of possible qualification, an application should be filed in the third and fourth year of a 4-year increase period and prior to a specific "cut off" date.

VI. Available Publications on Program: BASIC GUIDELINES FOR PUBLIC LAWS 874 AND 815 and Property List for Federally Affected Areas. (Available from Division of Educational Finance).

VII. Procedures in Applying for Approval under Section 5:

1. After taking a pupil-parent survey pertinent to a date in the first quarter of the school year, compare the total number of "federally connected" children to the corresponding totals for each of the four previous years. If there is a significant increase and if a school construction project is contemplated, contact the Division of Educational Finance, Federal Aid Planning and Claims Section.
2. The Division of Educational Finance prepares those sections of a two-part application (Federal FORM RSF-2, Parts I and II) for which data are available in the State Education Department. Working copies of

the application including such data are mailed to the local district with instructions realtive to the completion of required entries.

3. Submit four typed copies of Part I of FORM RSF-2 and six typed copies of Part II of FORM RSF-2 to the Division of Educational Finance, Federal Aid Planning and Claims Section, for certification and transmittal to both the U.S. Office of Education and the Regional Office thereof.

VIII. Disbursement of Federal Funds Relative to Section 5: Payments are made by the U.S. Office of Education directly to the school district on the following basis:

1. 10 percent upon approval of project application;
2. 50 percent following approval of drawings and specifications and following signing of contracts;
3. 30 percent following completion of approximately one-half of the work; and
4. 10 percent upon completion and acceptance of the project.

IX. Local Matching Provisions: None stipulated in law.

X. Fiscal Procedures Relative to Section 5: "The maximum allowable grant under section 5 is determined by multiplying the number of federally connected children to be counted for payment under subsection 5(a)(1) by 95 percent of the average per-pupil cost of constructing minimum school facilities in the . . . State during the base year; those to be counted under subsection 5(a)(2) by 50 percent; and those to be counted under subsection 5(a)(3) by 45 percent of such average per-pupil cost of construction." (The 1964-65 "average per-pupil cost . . .", as relative to 1966-67 applications, was estimated as $2,070).

XI. Administrative Agency: New York State Education Department, Division of

Educational Finance, Federal Aid Planning and Claims Section, Albany, New York 12224 (Tel: 518-474-4815), Mr. Richard C. Schilling, Supervisor.

I. **Federal Program:** Library Services and Construction

II. **Reference to Law:** Pages 271-274;Title II Library Services and Construction Act.

III. **Eligible Participants:** Public library systems, registered public libraries belonging to library systems.

IV. **Basic Provisions:** A grant of 35% of the total cost of construction of a public library facility, up to a maximum of $350,000 for a separate library or system headquarters building, or $700,000 for a combined central library and system headquarters building.

V. **Significant Rules and Regulations:**

1. Grants are available only for public library construction.
2. Applicant libraries must meet minimum standards of public library operation as stated in the *Criteria*.

VI. **Available Publications on Program:** *Criteria for Selection of Public Library Building Projects to Receive Federal Grants in Aid*.

VII. **Procedures in Applying for Approval:**

1. Applicant submits PRELIMINARY APPLICATION.
2. PRELIMINARY APPLICATION is screened for eligibility according to *Criteria*.
3. Applicant is notified of eligibility to submit FINAL APPLICATION.
4. FINAL APPLICATION is screened according to:
   - (a) *Criteria*,
   - (b) fiscal readiness,
   - (c) construction readiness
5. Application is forwarded to Library Services Branch, U.S. Office of Education, for approval and funding.

6. Contract between State Education Department and applicant is executed.

VIII. Disbursement of Federal Funds: Disbursement of Federal Funds available to New York State under this Act are approved by the Library Development Division, State Education Department, and disbursed by the Division of Educational Finance.

IX. Local Matching Provisions: Federal grant must be matched by 65% local public funds.

X. Fiscal Procedures: Payments are scheduled over the duration of the construction project as various parts of the job are completed. Advance payments to a locality are in three parts of 30%, 30%, and 30%, with a final 10% witheld until final audit.

XI. Administrative Agency: Library Development Division, State Education Department, Miss Jean L. Connor, Director. (518-474-5936)

SPECIAL NOTE: FOR LIBRARIES LOCATED IN "APPALACHIAN REGION" UNDER THE PROVISIONS OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT THE FEDERAL SHARE OF COSTS MAY BE INCREASED TO A MAXIMUM OF 80 PER CENT.

3. Undergraduate Facilities

I. Federal Program: Grants for Undergraduate Academic Facilities

II. Reference to Law: Pages 263-264, Title I, Higher Education Facilities Act of 1963, (P.L. 88-204)

III. Eligible Participants: All colleges and universities in the State of New York which offer an undergraduate program which is not limited to religious instruction or preparation for a religious vocation.

IV. Basic Provisions: To provide Federal funds for the construction of undergraduate academic facilities at colleges and universities. The Act excludes grants for facilities intended primarily for:

(a) events for which the public is charged admission

(b) gymnasiums used for athletic and recreational facilities other than physical education courses

(c) religious worship or for use primarily in the program of a school or department of divinity

(d) programs of the health professions eligible to receive grants under Public Law 88-129.

V. Significant Rules and Regulations: The U.S. Office of Education application forms and instructions are used for submission of applications under Title I. The Office of Planning in Higher Education of the State Education Department administers the program for the Board of Regents under the State Plan. Criteria under the State Plan give priority to applications which show an increase in undergraduate enrollment, increased space and instructional library facilities, efficiency of space utilization, and a long range institutional plan, such a plan to include curriculum, enrollment and budget projections, a study of faculty and staff needs and a comprehensive plan for physical facilities.

VI. Availble Publications on Program: NEW YORK STATE PLAN FOR THE HIGHER EDUCATION FACILITIES ACT OF 1963 and a brochure on the Higher Education Facilities Act of 1963.

VII. Procedures in Applying for Approval:

1. The institution makes an application at one of the closing dates listed in each Federal fiscal year, that is, October 15 or January 15.
2. Upon receipt of the application in the Office of Planning, applications are reviewed for their inclusions and accuracy.
3. Applications are then ranked on a preliminary basis using the criteria stated in the State Plan.
4. Site visitations are then made to each institution which ranked high on a preliminary basis.
5. A final ranking is made after the site visitation on the basis of the information received during the visitation.
6. The final ranking is presented for approval to the Special Advisory Committee for Higher Education Facilities Planning.
7. The Board of Regents, as the State Commission, makes the final recommendation to the U.S. Office of Education.
8. The U.S. Office of Education reviews each application and upon a satisfactory review will make the grant award.

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated to the State but are disbursed by the U.S. Office of Education. The State does not handle the money under this program.

IX. Local Matching Provisions: Grants to public community colleges and public technical institutes may be up to 40% of the construction costs of an eligible academic facility except that no grant shall be greater than $2,500,000. Grants to public or private 4-year institutions or private 2-year institutions may provide up to 33 1/3% of the construction costs of eligible academic facilities except that no grant shall be greater than $2,500,000.

X. Fiscal Procedures: All fiscal transactions are completed directly between the college or university and the U.S. Office of Education following grant recommendation by the State Commission (Board of Regents).

XI. Administrative Agency: Office of Planning in Higher Education,
New York State Education Department,
Mr. Edward F. Bocko (518-474-7373)

SPECIAL NOTE: IN INSTITUTIONS LOCATED IN THE APPALACHIAN REGION UNDER THE PROVISIONS OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT, THE FEDERAL SHARE OF COSTS MAY BE INCREASED TO A MAXIMUM OF 80%.

4. Vocational (Occupational) Education

I. Federal Program: Vocational Education Act

II. Reference to Law: Pages 265-269; Sec. 4a Vocational Education Act

III. Eligible Participants: Public educational agencies

IV. Basic Provisions:

1. To provide Federal funds for the construction of area occupational (vocational) education school facilities use exclusively or principally to provide occupational (vocational) education for persons available for full-time study in preparation for entering the labor market.
2. For purposes of this program, an area school constitutes a secondary school facility providing occupational education in no less than five different vocational fields and serving more than one school district.

V. Significant Rules and Regulations:

1. The facility should be functional and meet the needs of those persons and the communities to be served.
2. In connection with the erection of new or the expansion of existing facilities, initial equipment shall include only that which must be placed in the proposed facility to accommodate the purpose for which the facilities are designed.
3. In connection with remodeling and alteration of existing facilities; initial equipment also may include equipment installed to replace obsolete or worn out equipment.
4. All laborers and mechanics employed by contractors and subcontractors on all construction projects will be paid wages not less than those prevailing as determined by the U.S. Secretary of Labor in accordance with the Davis-Bacon Act and shall receive overtime compensation in accordance with and subject to the provisions of the Contract

Work Hours Standard Act.

VI. Available Publications on Program: Guidelines for Area Occupational School Construction available from New York State Education Department, Office of the Assistant Commissioner for Occupational Education.

VII. Procedures for Applying for Approval:

1. Approval for project must first be obtained from Office of the Assistant Commissioner for Occupational Education, New York State Education Department.
2. Local agency, with the possible advice of prospective contractors or architects, indicates or lists on DB-11 form (REQUEST FOR DETERMINATION), the crafts which are anticipated to be employed in construction project.
3. Local agency submits DB-11 to State Education Department for transmittal through U.S. Office of Education to the U.S. Department of Labor at least six weeks before date of bid opening. Copies of SOL-123 (WAGE DETERMINATION) will be transmitted from the U.S. Department of Labor through the U.S. Office of Education and the State board to the local agency.
4. Local agency includes wage determination in specifications for prospective bidders in order to complete bid proposals for construction prior to the awarding of the contracts.
5. Local agency makes certain that contract clauses relating to labor standards are included in the contract.

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated to the State, and in turn, are disbursed to local agencies through the State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: Matching of Federal funds for construction must be on an individual project basis. Therefore, a maximum of 50% Federal is established with a minimum of 50% local.

X. Fiscal Procedures: All fiscal transactions by the State are subject to audit by the U.S. Commissioner of Education in order to determine whether expenditures have been made in accordance with the provisions of the program. Inventory and records supporting accountability for the disposition of school facilities constructed and nonconsumable equipment costing $100 or more shall be maintained until notified in writing of the completion of the review and audit.

XI. Administrative Agency: Division of Occupational Education Supervision, New York State Education Department.

SPECIAL NOTE: IN DISTRICTS LOCATED IN THE "APPALACHIAN REGION", UNDER THE PROVISIONS OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT, THE FEDERAL SHARE OF COSTS MAY BE INCREASED TO A MAXIMUM OF 80 PERCENT.

I. Federal Program: Public Works and Economic Development

II. Reference to Law: Pages 307-308; Public Works and Economic Development Act of 1965, Title I.

III. Eligible Participants: Local educational agencies in areas designated as redevelopment areas and other areas designated as qualified by EDA due to substantial unemployment, excluding areas approved for assistance under the Appalachian Redevelopment Act of 1965.

IV. Basic Provisions: Provides grants and loans to be used for acquisition or development of land and improvements to public works, public service, or development facility usage and to acquire, construct, alter, expand, or improve facilities which serve the purposes of EDA, including the related machinery and equipment.

1. Direct grants to 50% and supplemental grants to 30% (including eligible projects receiving basic grant from Voc. Ed. Act of 1963).
2. Direct or supplemental grants to projects eligible for a grant from another Federal program, which is out of funds, if it meets requirements for EDA program.
3. Loans covering all, or portion, of total project costs for eligible projects in areas qualified under Title IV.

V. Significant Rules and Regulations:

1. Total Federal allotment for project may not exceed 80%.
2. Projects, to be eligible, must be consistent with the approved overall economic development program for the area, fill a pressing need of the area and pertain to the training or retraining of unemployed adults and school dropouts.

3. Supplemental grants for projects receiving basic grants from the Vocational Education Act, in areas designated by EDA for supplemental grant aid above 50% due to extreme unemployment circumstances, if project is not in the Appalachian Redevelopment Area.
4. Projects under Title IV may qualify for a loan whether or not they qualify for a grant.
5. Loans may be made only if funds for the project cannot be obtained from private lendors or other Federal agencies.

VI. Available Publications on Program: Grants and Loans for Public Works and Development Facilities, available from Economic Development Administration, U.S. Department of Commerce, Washington, D.C.

VII. Procedures in Applying for Approval:

1. Applications forwarded to the State agency Division of Occupational Education for approval. Project then forwarded to the Economic Development Administration for Federal approval.
2. Form EDA-101 (parts 1 and 2) to be used for direct and supplemental grants where basic grant is obtained from EDA.
3. Form EDA-102 (together with the basic grant application) used for applications for supplemental grants or loans for projects receiving basic grant from a Federal agency other than the EDA.

VIII. Disbursement of Federal Funds: Allotments are disbursed to the State Agency. Grants or loans to the local district through the Division of Educational Finance.

IX. Local Matching Funds: Maximum of 50% Federal aid for direct grants. Supplemental grants may reduce local matching funds to as little as 20%, depending upon severity of unemployment in the area. Federal contribution is determined by U.S. Department of Commerce and is reviewed annually, the revised list being as of July 1 of each year.

X. Fiscal Procedures: Indefinite at time of printing. Expected to be similar to those for grants under the Vocational Education Act.

XI. Administrative Agency: Economic Development Administration, U.S. Department of Commerce, Washington, D.C. (Vocational education projects under this Act must first be approved by the State agency and then forwarded to EDA for approval and administration).

SPECIAL NOTE: Because of Federal emphasis on construction of facilities for adult education, a limited number of applications were accepted from New York State for 1966-67 under this Act.

EDUCATIONAL MEDIA

1. Educational Television Facilities

I. Federal Program: Educational Television Facilities Act

II. Reference to Law: Pages 255-257; Part IV Communications Act Amendments

III. Eligible Participants:

1. An agency or officer responsible for the supervision of public elementary or secondary education or public higher education within a State, or within a political subdivision thereof.
2. A State educational television agency.
3. A college or university deriving its support in whole or in part from tax revenues; or
4. A nonprofit foundation, corporation or association which is organized primarily to engage in or to encourage educational television broadcasting stations eligible to receive a license from the Commission for a noncommercial educational television broadcasting station pursuant to the rules and regulations of the Commission in effect on April 12, 1962.

IV. Basic Provisions: Up to 50% of the reasonable and necessary cost of an eligible project, plus an additional amount of up to 25% of the cost of eligible transmission apparatus owned by the applicant on the date of application.

V. Significant Rules and Regulations:

1. In no case may the Federal grant exceed 75% of the cost of an eligible project or the amount of an applicants out-of-pocket costs, whichever is less.

2. Not more than 15% of any Federal grant may be used for acquisition and installation of apparatus to be used for interconnection of two or more stations; an applicant's own matching funds may be applied only to the purchase of items of equipment which are in the category of transmission apparatus eligible for inclusion in Federal grant projects.
3. Assurance must be given by the applicant that broadcasting facilities aided under this Act will be used only for educational purposes.
4. The Federal Government will maintain a 10-year interest in the use of the facilities and the eligibility of the owner.

VI. Available Publications on Program:

1. The List of Educational Television Transmission Apparatus and Suggested Minimum Performance Standards
2. The Educational Television Facilities Program: An Instructional Manual
3. The Educational Television Facilities Grant Application Form

VII. Procedures in Applying for Approval:

1. Verify eligibility.
2. Prior to filling out application, applicant should familiarize himself with the Communications Act of 1934, as amended, particularly Title III, part IV; the List of Educational Television Transmission Apparatus and Suggested Minimum Performance Standards published by the Commissioner, U.S. Office of Education; and Parts 1, 2, 3, 4 and 17 of the Rules and Regulations of the Federal Communications Commission (47 CFR, Parts 1, 2, 3, 4 and 17).

3. Application must be filed with the Secretary by the applicant.
4. Upon Secretary's approval or denial, in whole or in part, of a project, the Secretary will inform:
    - (a) the applicant
    - (b) each state educational television agency if any, in any state, any part of which would receive grade B service or better from the applicants broadcast station;
    - (c) Federal Communications Commission
5. Applicant may file a petition for reactions with Secretary within 30 days of Secretary's ruling.

VIII. Disbursement of Federal Funds: Federal grant payments will ordinarily be made as follows:

1. One-half of the grant will be paid when the grant is approved
2. The remainder will be paid upon receipt of evidence of satisfactory completion of the project.

IX. Local Matching Provisions: A maximum of 50% Federal funds available for cost of project plus a maximum of 25% Federal share for cost of eligible transmission apparatus owned by applicant.

X. Fiscal Procedures:

1. The applicant shall furnish such progress or other report related to the construction of the project as may be directed by the Secretary;
2. The applicant shall establish and maintain fiscal controls, account and other documents which will provide for the specific identification of the receipt and disposition of all Federal grant funds and clearly identify the nature, purposes, and amount of all expenditures incurred from the project;

3. The applicant shall maintain accessible and intact fiscal or other records related to the receipt and expenditure of the Federal grant funds and the non-Federal share of the cost of the project.
4. The applicant shall maintain for 10 years after completion of the project adequate descriptive inventories or other records supporting accountability of all items of transmission apparatus acquired or installed with Federal financial assistance pursuant to this part, and appropriately mark such transmission apparatus in a permanent manner in order to assure easy and accurate identification and reference to such inventory records.
5. Each Federal grant recipient will present an annual status report on or before each December 31 including such information as the Secretary shall require.

XI. Administrative Agency: Secretary of the United States Department of Health, Education and Welfare is responsible for program direction; United States Commissioner of Education is responsible for processing of applications and administering Federal grants through the Educational Television Facilities Program office.

PROGRAM OFFICER: Mr. Raymond Stanley, Division of Library Services and Educational Facilities, Bureau of Adult and Vocational Education, U.S. Office of Education.

I. Federal Program: Financial Assistance for Strengthening Instruction

II. Reference to Law: Pages 235-241; Title III National Defense Education Act

III. Eligible Participants: Public elementary or secondary schools operated by the State Educational Agency or public institutions under State Law; Boards of Cooperative Educational Services.

IV. Basic Provisions: Fifty-percent reimbursement is made to participating agencies for expenditures for prior approved purchases of equipment and materials and minor remodeling for the improvement of instruction in the critical areas.

V. Significant Rules and Regulations:

1. Materials and all items of equipment must be justified in the project description accompanying application and must be approved by the Administrator prior to issuance of purchase orders for such items by the local educational agency.
2. No contractual agreement may be entered into for minor remodeling prior to the approval of such project by the Administrator.
3. Minor remodeling must be needed to accommodate and make effective use of approvable equipment and materials and must be performed within the confines of a previously completed building.

VI. Available Publications on Program:

TITLE III NDEA PLANNING GUIDE - published by the New York State Education Department.

VII. Procedures in Applying for Approval:

1. Obtain approval of Administrator by providing, as part of project description, list of items to be purchased under this program (Form A).

2. Receive notification of approval from Administrator for purchase of individual items of equipment and for minor remodeling purposes. Notification transmitted to applicant via returned copy of Form A.
3. Issue purchase orders and contracts.
4. Notify Administrator of actual purchase orders issued. Use Form B-REPORT OF APPROVALS COMMITTED.

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated to the State on a fiscal year basis and, in turn, are disbursed to the local educational agencies through the State Education Department. Such disbursements are made through the Education Department's Division of Educational Finance.

IX. Local Matching Provisions: Fifty percent Federal - Fifty percent local.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local agency on the basis of purchase orders to be issued or contracts to be entered into during a July 1 - June 30 fiscal period and reported on Form B-REPORT OF APPROVALS COMMITTED. Such encumbrance shall be an amount equal to 50 percent of the cost of approved purchases.
2. As approved purchase orders are paid at the local level, CLAIMS FOR REIMBURSEMENT (FA-364-III) may be submitted to the Division of Educational Finance for payment. Copies of appropriate invoices or vendor's bills must accompany such claims. No more than four (4) CLAIMS FOR REIMBURSEMENT may be filed in any fiscal year against a district's encumbrance for a given fiscal year.

3. An encumbrance established at the State level for a local educational agency must be liquidated by such local agency within 14½ months following the close of the fiscal year in which such encumbrance was established or, in the case of contracts involving minor remodeling, two years following the close of the fiscal year. For purposes of this program, an encumbrance is considered liquidated on the date the check is drawn for payment by the local agency.

XI. Administrative Agency: Division of Educational Finance, New York State Education Department, Mr. Richard C. Schilling, Supervisor, Title III NDEA Administrator. (518-474-4815)

I. **Federal Program:** ESEA - TITLE II (P.L. 89-10).

II. **Reference to Law:** Pages 291-306; Elementary and Secondary Education Act of 1965, Part B.

III. **Eligible Participants:**

Basic Grants - Local public school districts; Boards of Cooperative Educational Services; Campus Schools of the State University of New York and the City University of New York; other public agencies providing approved programs of elementary or secondary education.

Special Purpose Grants - Local public school districts; Boards of Cooperative Educational Services; Campus Schools of the State University of New York and the City University of New York; other public agencies providing approved programs of elementary or secondary education; public library systems; and public libraries.

IV. **Basic Provisions:** Direct grants will be made to eligible participants for the acquisition of school library resources, textbooks, audio-visual materials, and other printed or published instructional materials. Grants to eligible participants will be based on program priorities, standards, and criteria.

V. **Significant Rules and Regulations:**

1. All resources must meet the selection criteria and policies of the public agency.
2. All applications will be subject to review and final approval by the State agency.
3. All public agencies receiving grants for public and private school students must establish procedures for the loan of resources to private school students and teachers enrolled in schools situated within the geographical boundaries of the public school district.

4. Expenditures under Title II are restricted to printed and published materials inclusively. Equipment, instructional supplies and instructional staffing are not eligible.

VI. Available Publications on Program:

Planning Guide - Published by New York State Education Department, Bureau of School Libraries. Library and Multimedia Projects - Descriptions of Special Projects approved under Title II, Elementary and Secondary Education of 1965 - Published by the Bureau of School Libraries.

VII. Procedures in Applying for Approval:

1. Eligible agencies will apply for a Basic Grant under Title II directly to the State agency using Forms A and B as directed.
2. Eligible agencies will apply for a Special Purpose Grant under Title II directly to the State agency using Form D.
3. Itemized lists of resources do not need to accompany grant applications.
4. Agencies will be notified by Bureau of School Libraries of disposition of application.
5. Private school children may benefit by having private school officials apply in their name directly to the local public school district in which the private school is situated. Private school children are eligible for equitable loan benefits under this Title. To accomplish this, private schools must use Form B which will be submitted to the local public school district.
6. Public agencies requesting a variance from the formula governing the acquisition of resources must make special application. No special form is required, simply a written statement of justification.

VIII. Disbursement of Federal Funds: Federal Funds under this program are allocated to the State on a fiscal year basis and in turn are disbursed to the local educational agencies by the State Education Department. Such disbursement is made through the Education Department's Division of Educational Finance.

IX. Local Matching Provisions: 100% Federal Funds.

X. Fiscal Procedures:

1. A first advance payment of 50 percent of an approved project budget is to be made to the participating public agency following application approval.
2. A second advance payment, normally equal to 75 percent of the approved total of the project budget minus the amount of first advance payment, is made upon receipt of REQUEST FOR ADVANCE PAYMENT (form FA-25AP) in the Division of Educational Finance. Such payment is made, however, only after an approvable TITLE II (ESEA) (FORM E) REPORT OF COMMITMENTS is received by the Bureau of School Libraries.
3. When the second advance payment has not constituted a final advance, a final advance payment will be made following receipt and processing by the Division of Educational Finance of a REQUEST FOR ADVANCE PAYMENT UNDER FEDERAL PROJECT (Form FA-25AP).
4. A TITLE II (ESEA) (FORM G) FINAL REPORT OF PROJECT EXPENDITURES (accompanied by a single copy of each paid invoice) is to be submitted to the Division of Educational Finance immediately upon completion of all project expenditures. All payments must be made by the participating public agency within 14½ months following the close of the fiscal year to which the grant applies.

XI. Administrative Agency: Bureau of School Library Service, New York State Education Department, Mr. Frank A. Stevens, Chief. (518-474-4972).

I. Federal Program: Financial Aid for Current Expenditures to School Districts in Areas Affected by Federal Activity.

II. Reference to Law: Pages 227-232; Public Law 874, Title I, Financial Assistance for Local Educational Agencies in Areas Affected by Federal Activity.

III. Eligible Participants: Public School Districts

IV. Basic Provisions: To provide Federal Funds to those districts experiencing one of the following situations:

1. The "federal connection" of at least a minimum number of resident pupils (section 3 of law);
2. A sudden and substantial increase in the number of pupils in average daily attendance as a direct result of activities of the United States carried on either directly or through a contractor (section 4 of law);
3. Reduction in local revenue by reason of acquisition of real property, since 1938, by the United States (section 2 of law); or
4. Location within a major disaster area (section 7 of law).

V. Significant Rules and Regulations Relative to Section 3:

1. A district may qualify for aid if the number of "federally connected" children in average daily attendance is either of the following: (1) ten (10) or more and equal to 3 percent or more of the total number of children in average daily attendance; or (2) four hundred (400) or more of the total number of children in average daily attendance.
2. A pupil - for whom a school district provides free public education - is considered to be "federally connected" if he meets only ONE of the following:

(a) He resides on Federal property; or

(b) He resides with a parent who is employed on Federal property; or

(c) He has a parent on active duty in one of the uniformed services (regardless of where stationed).

(Under subsection 4(a) of this law, having to do with a sudden and substantial increase in average daily attendance, a pupil is considered to be "federally connected" if his attendance merely is "as a direct result of activities of the United States carried on directly or through a contractor." See the BASIC GUIDELINES FOR PUBLIC LAWS 874 and 815 for additional information relative to subsection 4(a).

3. "Federal property" means "real property which is owned . . . or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State . . . ."

VI. Available Publications on Program: BASIC GUIDELINES FOR PUBLIC LAWS 874 and 815 and Property List for Federally Affected Areas. (Available from Division of Educational Finance).

VII. Procedures in Applying for Approval under Section 3:

1. Conduct a pupil-parent survey of residence and employment pertinent to a specific date during the first quarter of the school year. The final day of either the first or second attendance period (i.e., register period) is recommendable for use as the pertinent date. See page 82 for a copy of a sample survey form.

2. Examine and categorize all survey forms with respect to children who are "federally connected." Any property which appears to be Federal property, but which is not on the prepared Property List for Federally Affected Areas, should be included in an eligible category pending review.

3. Prepare and file and APPLICATION WORKSHEET FOR PUBLIC LAW 874 (Form FA-874-1) with the Division of Educational Finance, Federal Aid Planning and Claims Section. Copies of this worksheet are mailed routinely to districts which were eligible in the previous year; copies will be mailed upon request to any other district desiring to be an applicant.
4. The Division of Educational Finance, Federal Aid Planning and Claims Section, prepares an APPLICATION FOR SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS (Federal FORM RSF-1) upon the basis of data furnished by the local district in the completed worksheet and data available in the State Education Department.
5. An original and three copies of a prepared APPLICATION FOR SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS (FORM RSF-1) are mailed to the local district for review and signature.
6. After review and signature, return NO LATER THAN MARCH 15 the original and two copies of the signed application (Federal FORM RSF-1), signed by the local "Authorized Representative", to the Division of Educational Finance, Federal Aid Planning and Claims Section. Observance of this March 15 date is essential in order to make it possible for the State Education Department "Authorized Representative" to countersign these applications and file them in the U.S. Office of Education by March 31.
7. Conduct a second pupil-parent survey of residence and employment pertinent to a specific date during the last quarter of the school year.
8. Examine and categorize all survey forms with respect to children who are "federally connected."

9. Prepare and file NO LATER THAN AUGUST 15 a FINAL WORKSHEET FOR PUBLIC LAW 874 (Form FA-874-2) with the Division of Educational Finance, Federal Aid Planning and Claims Section.

10. The Division of Educational Finance, Federal Aid Planning and Claims Section, prepares, from data furnished by the local district in the completed final worksheet, a REPORT OF DETERMINING PAYMENT PURSUANT TO TITLE I OF P.L. 874 AS AMENDED (Federal FORM RSF-3).

11. An original and three copies of a prepared REPORT FOR DETERMINING PAYMENT PURSUANT TO TITLE I OF P.L. 874 AS AMENDED (FORM RSF-3) are sent to the local district for review and signature.

12. After review and signature, return NO LATER THAN SEPTEMBER 15 the original and two copies of the signed report (FORM RSF-3), signed by the local "Authorized Representative", to the Division of Educational Finance, Federal Aid Planning and Claims Section. Observance of this September 15 date is essential in order to make it possible for the State Education Department "Authorized Representative" to countersign these applications and file them in the U.S. Office of Education by September 30.

VIII. Disbursement of Federal Funds Relative to Section 3: P.L. 874 aid is sent directly to the local school district by the U.S. Office of Education in two payments. The first payment normally represents 75 percent of the estimated grant and usually is received during the fiscal year to which the application pertains. The second payment, which is made after a field review has been conducted by a Field Representative of the U.S. Office of Education, represents the audited balance and normally is received during the fiscal year following the fiscal year to which the application pertains.

IX. Local Matching Provisions: 100 percent Federal funds.

X. Fiscal Procedures Relative to Section 3:

1. The amount of a grant is based primarily upon the average daily attendance of "federally connected" pupils in each of two categories. Pupils eligible under category 3(a) qualify with respect to two considerations; pupils eligible under category 3(b) qualify with respect to one consideration. These categories are as follows:

   Category 3(a) - Pupils who reside on Federal property and who (A) so reside with a parent employed on Federal property or (B) have a parent on active duty in the uniformed services;

   Category 3(b) - Pupils who (A) reside on Federal property or (B) reside with a parent employed on Federal property or (C) have a parent on active duty in the uniformed services.

2. The total amount of a grant normally is equal to: (A) the sum of the average daily attendance of 3(a) pupils and one-half the average daily attendance of 3(b) pupils, multiplied by (B) a "Federal allotment per pupil." The "Federal allotment per pupil" essentially is the larger of the following:

   (a) the "current expenditures" per pupil from local revenue sources, in the second year preceding the fiscal year for which the application is made, in a group of districts which are "generally comparable" to the applicant district; or

   (b) one-half the State average per-pupil "current expenditures" in the second year preceding. (As relative to 1967-68 applications, one-half the State average per-pupil "current expenditures" in the second year preceding was $414.15).

XI. __Administrative Agency__: New York State Education Department, Division of Educational Finance, Federal Aid Planning and Claims Section, Albany, New York 12224 (Tel.: 518-474-4815), Mr. Richard C. Schilling, Supervisor.

__SPECIAL NOTE__: Inasmuch as much of the preceding information is pertinent primarily to section 3 of Public Law 874, the __BASIC GUIDELINES FOR PUBLIC LAWS__ 874 and 815 should be consulted for information relative to other sections of the law.

(SAMPLE SURVEY FORM)
(Include Name of School District)

PUBLIC LAW 874 SURVEY
All items of information relate to October 28, 1966.*

This information is required to establish eligibility for Federal aid.

1. Name of Pupil ____
Last First Middle

2. Date of Birth ______________________________
Month Day Year

3. Grade ________ Name of Teacher ____________________ School ______________

4. Home address on October 28, 1966* ______________________________

5. Name of father (or guardian) ______________________________________
Last First Middle

6. On what property was father employed on October 28, 1966?*

Name of property ______________________________________

Address ____

Was this property owned or leased by the Federal Government
as of October 28, 1966?* (Please check answer)
______ Yes ______ No

7. Name of firm, agency, or uniformed service branch employing father on October 28, 1966*

____

8. Name of mother (or guardian) ______________________________________
Last First Middle

9. If employed, on what property was mother employed on October 28, 1966?*

Name of property ______________________________________

Address ____

Was this property owned or leased by the Federal Government
as of October 28, 1966?* (Please check answer)
______ Yes ______ No

10. Name of firm, agency, or uniformed service branch employing mother on October 28, 1966?*

____

11. If either parent was in a uniformed service as of October 28, 1966,* please indicate:

Name of Parent ______________________________ Rank ______________

Serial No. ________________________ Branch of Service ______________

______________________________ Date Signed

______________________________ Signature of Parent or Guardian

*(The date October 28, 1966, is used on this sample form as an illustration.)

2. Special Aid-Educationally Deprived Children (ESEA I)

I. **Federal Program:** ESEA - Title I

II. **Reference to Law:** Pages 291-306; Title I Elementary and Secondary Education Act.

III. **Eligible Participants:** Local public educational agencies.

IV. **Basic Provisions:** Full reimbursement to boards of education of public school districts for programs designed to meet the special educational needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families.

V. **Significant Rules and Regulations:**

1. Payments will be made only to the public educational agency, but the public educational agency must make *provision for services* to educationally deprived children from private elementary and secondary schools to an extent consistent with the numbers of such children enrolled within the area concerned.
2. Payments will be made on the basis of special projects which are of significant size, scope and quality to give reasonable promise of progress in educational attainment. Where maximum basic grants are relatively small, enter into agreements and jointly operate programs and projects.
3. Projects must include provisions for evaluation of educational achievement, at least annually, on the basis of some objective measurement.
4. The development and operation of programs and projects carried out under this Act must be coordinated with other public and private agencies having the same or similar purposes. This includes a community action program funded under the Economic Opportunity Act.

5. **Projects must include, provisions for acquiring information on promising educational practices and plans for disseminating such information to teachers and administrators.**

VI. Available Publications on Program:

1. **Identification of the Educationally Disadvantaged**
2. **Illustrative Programs Which Can Be Funded Under Title I of the Elementary and Secondary Education Act of 1965**
3. **Title I, ESEA Notes**
4. **National Conference**
5. **Programs for Educationally Disadvantaged Children**
6. **Chance for Change**

VII. Procedures for Applying for Approval:

1. **Local public school authorities, will file project application forms with the Coordinator of Title I, Elementary and Secondary Act, New York State Education Department.**
2. **Local public school authorities will be advised by the Coordinator as to the disposition of the project.**

VIII. Disbursement of Federal Funds: Federal funds are allocated to the State, such allocation providing the amounts for each county in the State. On the basis of an equitable method established by the Education Department basic grants are computed for each local public educational agency. Each local agency may file special project applications up to the amount of the basic grant. If districts wish to operate joint projects, the requests may be to the total of the combined grants in cases justified by the nature and scope of the project. Funds are disbursed to local agencies by the Division of Educational Finance.

IX. Local Matching Provisions: None. Federal funds may be used to pay 100 percent of allowable or approved costs.

X. Fiscal Procedures:

1. 25 percent advance of funds on approval of project.
2. Three 25 percent advances at intervals throughout the project.
3. Adjustment for overpayment or underpayment upon completion of final audit of expenditures by Division of Educational Finance.

XI. Administrative Agency: New York State Education Department, Dr. Irving Ratchick, Coordinator. (518-474-6559)

2. Special Aid-Educationally Deprived Children (CAP)

I. Federal Program: Community Action Program

II. Reference to Law: Pages 277-285; Title II-A; Economic Opportunity Act

III. Eligible Participants: Public agencies; private non-profit agencies (other than political parties) or combinations thereof.

IV. Basic Provisions: The purpose of community action programs is to help urban and rural communities to mobilize their resources to combat poverty.

V. Significant Rules and Regulations:

1. Every applicant agency must have adequate authority to enter into contracts with and to receive and carry out program grants from the Federal Government and must have the capacity to enlist the participation of residents of the areas and members of the groups to be served.
2. An applicant which is a non-profit agency must either be an organization which has had a concern with problems of poverty prior to application or be sponsored by a public agency or by a private agency which has been so concerned or be an institution of higher education.
3. A community action program must be developed, conducted, and administered with the maximum participation of the residents of the areas in which the program will be carried out.
4. Federal assistance to education is limited to remedial and other non-curricular educational purposes. For this purpose, curricular is considered to refer to the present course of study for which credit is granted toward promotion or graduation from school.

VI. Available Publications on Program: Guide to Community Action Program Grants. Published by Office of Economic Opportunity, Community Action, Washington, D.C.

VII. Procedures in Applying for Approval:

1. An application for approval of a community action program shall by submitted by the applicant agency to Community Action Program, Office of Economic Opportunity, Washington, D.C.
2. An application consists of forms CAP-1 through CAP-10 which may be obtained from such office. Eight copies of each application, including all attachments, must be submitted.
3. Applicants may obtain assistance in preparing such application from the technical assistance agency established in each state. (In New York State this office is at 509 Madison Avenue, New York, New York 10022).

VIII. Disbursement of Federal Funds: The distribution of Federal aid among communities for the development, conduct, and administration of community action programs is made directly by the Director of the Office of Economic Opportunity, Washington, D.C.

IX. Local Matching Provisions: Federal assistance shall not exceed 90% of the cost of the program for the period ending August 20, 1966 and thereafter shall not exceed 50% of such costs. The non-Federal share may be contributed in cash or in kind. In kind contributions may include the cost of staff assigned to the community action program, supporting services which can be identified and priced, and the use of office space, automobiles, office equipment, and other facilities and equipment necessary to the operation of the program.

X. Fiscal Procedures: Estimated costs of community action program reported to United States Office of Economic Opportunity via form CAP-10 BUDGET.

XI. Administrative Agency: Director of the Office of Economic Opportunity, Washington, D.C.

SPECIAL NOTE: DISTRICTS NEEDING SPECIAL PROGRAM ASSISTANCE IN DEVELOPING EDUCATIONAL PHASE OF COMMUNITY ACTION PROGRAM MAY CONTACT THE FOLLOWING INDIVIDUALS IN THE NEW YORK STATE EDUCATION DEPARTMENT:

1. Miss Myra de Woodruff - Pre-kindergarten and pre-school aspects.
2. Mr. Ronald P. Daly - Indian aspects and broadened elementary school aspects.
3. Mr. Bruce Shear - Pupil personnel aspects.
4. Dr. Lee Campion - Television and similar aspects.

ELEMENTARY AND/OR SECONDARY EDUCATION
2. Special Aid - Educationally Deprived Children
(Migrant)

I. **Federal Program:** Migrant Children Program

II. **Reference to Law:** 291-306 :Sec.203 Elementary and Secondary Education Act of 1965.

III. **Eligible Participants:** Local educational agencies.

IV. **Basic Provisions:** Full reimbursement for approved expenditures incurred in the operation of summer classes for children whose migrant parents are seasonally employed in the field of agriculture.

V. **Significant Rules and Regulations:**

1. Grant funds shall be expended only for the purposes and activities of the approved migrant program and in accordance with the approved budget.
2. Projects must include provisions for evaluation of educational achievement, at least annually, on the basis of some objective measurement.
3. Projects must include provisions for acquiring information on promising educational practices and plans for disseminating such information to teachers and administrators.
4. Any changes from the originally approved program and budget must receive approval of Division of School Supervision prior to implementation at the local level.
5. Emphasis of program development should be toward providing personal services with lesser emphasis on purchase of materials and equipment.
6. No project funds may be expended for:
   (a) the purchase of real property
   (b) central administrative expenses
   (c) minor remodeling

VI. Available Publications on Program: Release containing full regulations under subject Summer Schools for Migrants and Other Disadvantaged Children - May 3, 1965 - Division of Elementary Supervision, New York State Education Department.

VII. Procedures for Applying for Approval:

1. File application (3 copies) PROPOSED PLAN FOR SUMMER SCHOOL FOR MIGRANT CHILDREN (provided by the State Education Department) which contains proposed outline, schedule and budget for the project - FA-10-1 - MIGRANT EDUCATION.
2. Local public school authorities will be advised by the Division of School Supervision as to approval or disapproval.

VIII. Disbursement of Federal Funds: Federal funds are disbursed to local agencies through the State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: No local matching is required. Grants are derived from Federal and State funds.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local educational agency on the basis of an approved estimate of program costs.
2. On the basis of an approved budget, a 50% payment of funds will be made to the local agency.
3. Final reimbursement of eligible costs will be made only after an audit of paid obligation, conducted by the Division of Educational Finance, as reported to that office on Form FA-10-F - MIGRANT EDUCATION (Final Report of Project Expenditures).

XI. Administrative Agency: Division of School Supervision, State Education Department. Mr. Donald O. Benedict, Director. Mr. John O. Dunn, Supervisor. (518-474-3936)

I. Federal Program: ESEA - Title VI

II. Reference to Law: Pages 291-306; Title VI Elementary and Secondary Education Act of 1965.

III. Eligible Participants: All local public educational agencies, including Boards of Cooperative Educational Services. Programs can also be approved for handicapped children enrolled in private elementary and secondary schools.

IV. Basic Provisions: Full reimbursement to boards of education of public school districts for programs designed to provide services and acquisition of equipment for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children.

V. Significant Rules and Regulations:

1. Federal funds can be used only to supplement, and not supplant State and local funds.
2. Activity planning must include coordination of public and private agencies.
3. Payments will be made on the basis of supplemental programs which are of sufficient size, scope, and equality, and give reasonable promise of substantial progress toward meeting the special educational and related needs of handicapped children.

VI. Available Publication on Program: News Briefs, April, 1967, available from Division for Handicapped Children, State Education Department.

VII. Procedures for Applying for Approval:

1. Local public school authorities will file project application forms with Division for Handicapped Children, State Education Department.

2. Division for Handicapped Children, following established priorities reflecting urgent areas of need, will approve projects and notify local public school authorities of application disposition.

VIII. Disbursement of Federal Funds: Federal funds are allocated to the State Disbursement to local educational agencies is responsibility of State Education Department. (Specific procedures not determined at time of printing).

IX. Local Matching Provisions: None. Federal funds may be used to pay 100 per cent of allowable or approved costs.

X. Fiscal Procedures:

Tentatively, procedures are similar to those for ESEA Title I. See pages 291-297.

XI. Administrative Agency: New York State Education Department, Division of Handicapped Children, Title VI Coordinator.

I. Federal Program: NDEA - TITLE V-A

II. Reference to Law: Pages 235-241; Title V-A, National Defense Education Act

III. Eligible Participants: Public elementary and secondary schools operated by State Educational Agency or by public institutions or agencies.

IV. Basic Provisions:

Reimbursement is made to participating public school districts or public institutions or agencies for expenditures necessary to carry out approved proposals to initiate, extend, or improve guidance program activities. Schools become eligible for 100% reimbursement for planned projects which are planned to extend for three or more years are eligible for 50% funding for each of three years.

V. Significant Rules and Regulations:

1. Only those schools which submit projects which are approved are eligible for Title V-A funds. Preference is given for projects involving more than one district. Projects which emphasize certain aspects of the guidance program suggested by the Bureau of Guidance receive preferential approval.
2. All proposals, and related expenditures for professional or clerical personnel, travel, materials, or equipment to be claimed for Title V-A reimbursement must be approved by the Bureau of Guidance before local employment or travel begins, or before purchase orders are issued by the local educational agency.
3. Districts must meet eligibility standards for testing, guidance program activities, certification, staffing, facilities, and supervision and coordination in order to begin participation or to continue participation in the program.

4. Approval for expenditures is based upon the plans presented in the proposal indicating clearly the relationship of the expenditures to guidance program improvement.

5. Boards of Cooperative Educational Services are eligible for N.D.E.A., Title V-A funds by following the same application procedures as required by local school districts.

6. Under this Title, the Bureau of Guidance also sponsors Project Talent Search and Project Reentry to demonstrate guidance related activities for assisting disadvantaged children through appropriate guidance and counseling activities. A limited number of pilot projects in elementary school guidance as well as local and area guidance in-service education programs are also supported. Districts interested in further information may contact the Bureau of Guidance.

VI. Available Publications on Program: Revised State Plan Abstract; Proposal and Application for Funds, N.D.E.A., Title V-A, (Form GU-701); N.D.E.A., Title V-A Fact Sheet; and Summary Description of Talent Search, Reentry, and Elementary School Guidance Projects.

VII. Procedures in Applying for Approval:

1. Forms FA-892 and a related memorandum explaining application procedures are available to eligible school districts and BOCES upon request to the Bureau of Guidance. Districts should complete the proposal and forward three copies to the Bureau of Guidance by the due date indicated on the proposal form or instructions memorandum.

2. After review by the Bureau of Guidance, if approvable, a copy of the district's proposal is returned to the district. At this time the district may proceed to initiate approved expenditures.

VIII. Disbursement of Federal Funds: Federal funds under this program are allotted to New York State on a fiscal year basis and, in turn, are disbursed to the participating local educational agencies by the State Education Department. The Bureau of Guidance approves the program expenditures and the Division of Educational Finance is responsible for the financial audit and reimbursement to local districts.

IX. Local Matching Provisions: Three year projects are approved on a fifty percent matching basis. No local matching required on approved projects of one year duration only.

X. Fiscal Procedures:

1. An encumbrance of funds is established for local districts which submit approved proposals on the basis of anticipated purchases or contracts for services during a July 1 - June 30 fiscal period. Request for an advanced payment of 50% (Form FA-50AP) will be honored by the Division of Educational Finance. (Starting with fiscal year 1968-69 space will be provided on application form for this 50% advance.)
2. Districts must request approval from the Bureau of Guidance for any changes in the originally approved plan and/or related approvable expenditures.
3. Upon the completion of the approved expenditures, the district should complete three copies of the CLAIM FOR REIMBURSEMENT, Form FA-896, including required documentation, and forward two copies to the Bureau of Guidance. Two PROGRESS REPORTS are also to be forwarded with the claim. Normally, districts will be allowed to file but one reimbursement claim for each fiscal year.

4. **It is required that funds encumbered for local districts be liquidated and claimed by December 31 of the following fiscal year.**

XI. Administrative Agency: Bureau of Guidance, New York State Education Department, Mr. Ross B. Phelps, Assistant in Education Guidance. (518-474-3820)

INSTRUCTIONAL EQUIPMENT, SUPPLIES AND MATERIALS
1. Direct Purchases
(NDEA III)

I. Federal Program: NDEA - Title III

II. Reference to Law: Pages 235-241; Title III National Defense Education Act

III. Eligible Participants: Public elementary or secondary schools operated by the State Educational Agency or public institutions under State Law; Boards of Cooperative Educational Services.

IV. Basic Provisions: Fifty-percent reimbursement made to participating agencies for expenditures for prior approved purchases of equipment and materials and minor remodeling for the improvement of instruction in the critical areas.

V. Significant Rules and Regulations:

1. **Materials and all items of equipment must be justified in the project description accompanying application and must be approved by the Administrator prior to issurance of purchase orders for such items by the local educational agency.**
2. **No contractual agreement may be entered into for minor remodeling prior to the approval of such project by the Administrator.**
3. **Minor remodeling must be needed to accommodate and make effective use of approvable equipment and materials and must be performed within the confines of a previously completed building.**

VI. Available Publications on Program: Title III NDEA Planning Guide, published by New York State Education Department.

VII. Procedures in Applying for Approval:

1. **Obtain approval of Administrator by providing list of items to be purchased under this program (Form A).**
2. **Receive notification of approval from Administrator for purchase of individual items of equipment and supplies and for minor**

remodeling purposes. Notification transmitted to applicant via returned copy of Form A.

3. Issue purchase orders and contracts.

4. Notify Administrator of actual purchase orders issued. Use Form B - REPORT OF APPROVALS COMMITTED.

VIII. __Disbursement of Federal Funds__: Federal funds under this program are allocated to the State on a fiscal year basis and, in turn, are disbursed to the local educational agencies through the State Education Department. Such disbursements are made through the Education Department's Division of Educational Finance.

IX. __Local Matching Provisions__: Fifty-percent Federal - Fifty-percent Local.

X. __Fiscal Procedures__:

1. An encumbrance of funds is established for each local agency on the basis of purchase orders to be issued or contracts to be entered into during a July 1 - June 30 fiscal period and reported on Form B - REPORT OF APPROVALS COMMITTED. Such encumbrance shall be an amount equal to 50 percent of the cost of approved program purchases.

2. As approved purchase orders are paid at the local, CLAIMS FOR REIMBURSEMENT (FA-864, III) may be submitted to the Division of Educational Finance for payment. Copies of appropriate invoices or vendor's bills must accompany such claims. No more than two (2) CLAIMS FOR REIMBURSEMENT may be filed in any fiscal year against a district's encumbrance for a given fiscal year.

3. An encumbrance established at the State level for a local educational agency must be liquidated by such local agency within 14½ months following the close of the fiscal year in which such encumbrance was established or, in the case of contracts involving minor remodeling, two

following the close of the fiscal year. For purposes of this program, an encumbrance is considered liquidated on the date the check is drawn for payment by the local agency.

XI. Administrative Agency: Division of Educational Finance, New York State Education Department, Mr. Richard C. Schilling, Supervisor, Title III Administrator. (518-474-4815)

I. Federal Program: Financial Assistance for Strengthening Instruction in the Humanities and the Arts.

II. Reference to Law: Pages 309-310, National Foundation on the Arts and the Humanities Act of 1965 (P.L. 89-209)

III. Eligible Participants: Public elementary or secondary schools operated by the State Educational Agency or public institutions under State Law; Boards of Cooperative Educational Services.

IV. Basic Provisions: Up to 50% reimbursement to participating agencies for prior approved purchases of equipment and materials and for approved costs of minor remodeling.

V. Significant Rules and Regulations:

1. Any eligible school may submit one proposal for any or all of the following categories:
    - (a) A program which concentrates on studio approaches for the practice and/or appreciation of the arts.
    - (b) A program which involves the student in an interdisciplinary study of the expressive works and ideas of man (identified as a "humanities" program).
    - (c) A program which involves experimental materials or methods in Greek and/or Latin instruction.
2. All items of equipment and materials must be approved by the Administrator prior to the issuance of purchase orders for such items by the local educational agency.

VI. Available Publications on Program: The Arts and the Humanities Section 12, 1966-1967 New York State Guidelines, published by the New York State Education Department.

VII. Procedures in Applying for Approval:

1. Application forms contained in Guidelines.
2. Obtain approval of Coordinator by providing required descriptions and list of items to be purchased.
3. Receive notification of approval from Coordinator for purchase of equipment and materials.
4. Issue purchase orders.
5. Notify Coordinator of actual purchase orders issued. Use form - REPORT OF APPROVALS COMMITTED.

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated to the State on a fiscal year basis and, in turn, are disbursed to the local educational agencies through the State Education Department.

IX. Local Matching Provisions: Up to 50% Federal Funds matched by 50% Local Funds.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local agency on the basis of purchase orders to be issued during a July 1 - June 30 fiscal period and reported on - REPORT OF APPROVALS COMMITTED. Such encumbrance shall be an amount equal to 50 percent of the cost of approved program purchases.
2. As approved purchase orders are paid at the local level, CLAIMS FOR REIMBURSEMENT, may be submitted to the Division of Educational Finance for payment. Copies of appropriate invoices must accompany such claim. No more than two (2) CLAIMS FOR REIMBURSEMENT may be filed in any fiscal year against a district's encumbrance for a given fiscal year.

3. An encumbrance established at the State level for a local educational agency must be liquidated by such local agency within 14½ months following the close of the fiscal year in which such encumbrance was established.

XI. Administrative Agency: Curriculum Development Center, New York State Education Department. Mr. William R. Clauss, NFAHA Coordinator. (518-474-5921)

INSTRUCTIONAL EQUIPMENT, SUPPLIES AND MATERIALS
1. Direct Purchases
(HEA)

I. Federal Program: Higher Education Act of 1965, Title VI, Part A

II. Reference to Law: Pages 311-314 of Public Law 89-329

III. Eligible Participants: All colleges and universities in the State of New York which offer an undergraduate program which is not limited to religious instruction or preparation for a religious vocation.

IV. Basic Provisions: Title VI provides matching grants for the acquisition of equipment and materials for the improvement of undergraduate instruction. The grant also may include laboratory and other special equipment, audiovisual materials and printed materials other than textbooks, television equipment for closed-circuit direct instruction and minor remodeling for the installation of such equipment.

V. Significant Rules and Regulations:

The Federal Office of Education provides application forms and instructions for submission of applications under this Title and Act. The Office of Planning in Higher Education provides supplementary forms and the New York State Plan for the administration of Title VI of the Higher Education Act. Each application will be evaluated upon the criteria established in the New York State Plan. Such criteria places emphasis upon the number of students enrolled in courses which will be improved through the use of instructional material and equipment proposed. A plan must be proposed for the use of institutional resources in relation to the new or additional equipment or other project to improve undergraduate instruction.

VI. Available Publications on Program: NEW YORK STATE PLAN FOR THE HIGHER EDUCATION ACT OF 1965, TITLE VI; The Faculty Member's Informal Guide to Title VI Application, Higher Education Act of 1965.

VII. Procedures in Applying for Approval: Applications received at each closing date will be reviewed by the Office of Planning in Higher Education staff. Applications will be ranked by the use of criteria as stated in the State Plan. An investigation will be made regarding any discrepancies in the application. Final rankings will be made and presented to the Board of Regents (State Commission) for recommendation to the U.S. Office of Education. After approval by the State Commission (Boards of Regents), applications will be sent to the U.S. Office of Education for final approval.

VIII. Disbursement of Federal Funds: Federal Funds under this program are allocated on a State Basis but awarded only by the U.S. Office of Education. The State does not handle the money under this program.

IX. Local Matching Provisions: The institution of higher education submitting an application for approval will be required to match 50% of the cost of its project. In no cases shall an amount greater than $50,000 per application be recommended as the Federal share irrespective of the total cost of the project.

X. Fiscal Procedures: All fiscal transactions are arranged by the U.S. Office.

XI. Administrative Agency: Office of Planning in Higher Education, New York State Education Department, Mr. Howard H. Burtis (518-474-8137)

INSTRUCTIONAL EQUIPMENT, SUPPLIES AND MATERIALS
1. Direct Purchases
(ESEA II)

I. Federal Program: ESEA - TITLE II (P.L. 89-10).

II. Reference to Law: Pages 291-306; Elementary and Secondary Education Act of 1965 - Part B.

III. Eligible Participants:

Basic Grants - Local public school districts; Boards of Cooperative Educational Services; Campus Schools of the State University of New York and the City University of New York; other public agencies providing approved programs of elementary or secondary education.

Special Purpose Grants - Local public school districts; Boards of Cooperative Educational Services; Campus Schools of the State University of New York and the City University of New York; other public agencies providing approved programs of elementary or secondary education; public library systems; and public libraries.

IV. Basic Provisions: Direct grants will be made to eligible participants for the acquisition of school library resources, textbooks, audio-visual materials, and other printed or published instructional materials. Grants to eligible participants will be based on program priorities, standards, and criteria.

V. Significant Rules and Regulations:

1. All resources must meet the selection criteria and policies of the public agency.
2. All applications will be subject to review and final approval by the State agency.
3. All public agencies receiving grants for public and private school students must establish procedures for the loan of resources to private school students and teachers enrolled in schools situated within the geographical boundaries of the public school district.

4. Expenditures under Title II are restricted to printed and published materials inclusively. Equipment, instructional supplies and instructional staffing are not eligible.

VI. Available Publications on Program:

Planning Guide - Published by New York State Education Department, Bureau of School Libraries. Library and Multimedia Projects - Descriptions of Special Projects approved under Title II, Elementary and Secondary Education of 1965 - Published by the Bureau of School Libraries.

VII. Procedures in Applying for Approval:

1. Eligible agencies will apply for a Basic Grant under Title II directly to the State agency using Forms A and B as directed.
2. Eligible agencies will apply for a Special Purpose Grant under Title II directly to the State agency using Form D.
3. Itemized lists of resources do not need to accompany grant applications.
4. Agencies will be notified by Bureau of School Libraries of disposition of application.
5. Private school children may benefit by having private school officials apply in their name directly to the local public school district in which the private school is situated. Private school children are eligible for equitable loan benefits under this Title. To accomplish this, private schools must use Form B which will be submitted to the local public school district.
6. Public agencies requesting a variance from the formula governing the acquisition of resources must make special application. No special form is required, simply a written statement of justification.

VIII. Disbursement of Federal Funds: Federal Funds under this program are allocated to the State on a fiscal year basis and in turn are disbursed to the local educational agencies by the State Education Department. Such disbursement is made through the Education Department's Division of Educational Finance.

IX. Local Matching Provisions: 100% Federal Funds.

X. Fiscal Procedures:

1. A first advance payment of 50 percent of an approved project budget is to be made to the participating public agency following application approval.
2. A second advance payment, normally equal to 75 percent of the approved total of the project budget minus the amount of first advance payment, is made upon receipt of REQUEST FOR ADVANCE PAYMENT (form FA-25AP) in the Division of Educational Finance. Such payment is made, however, only after an approvable TITLE II (ESEA) (FORM E) REPORT OF COMMITMENTS is received by the Bureau of School Libraries.
3. When the second advance payment has not constituted a final advance, a final advance payment will be made following receipt and processing by the Division of Educational Finance of a REQUEST FOR ADVANCE PAYMENT UNDER FEDERAL PROJECT (Form FA-25AP).
4. A TITLE II (ESEA) (FORM G) FINAL REPORT OF PROJECT EXPENDITURES (accompanied by a single copy of each paid invoice) is to be submitted to the Division of Educational Finance immediately upon completion of all project expenditures. All payments must be made by the participating public agency within 14½ months following the close of the fiscal year to which the grant applies.

XI. Administrative Agency: Bureau of School Library Service, New York State Education Department, Mr. Frank A. Stevens, Chief. (518-474-4972).

INSTRUCTIONAL EQUIPMENT, SUPPLIES, OR MATERIALS

2. Surplus Property

I. **Federal Program**: Federal Surplus Property Donation Program

II. **Reference to Law**: Pages 217-218;Title II, Federal Property and Administrative Service Act; New York State Education Law, par. 3712

III. **Eligible Participants**: Tax-supported or non-profit and tax-exempt school systems, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, public libraries, educational radio stations, educational television stations, medical institutions, hospitals, clinics, and health centers, or civil defense organizations designated pursuant to State law.

IV. **Basic Provisions**: Accomplish the acquisition of Federal surplus property from Federal agencies, and makes such property available for organizations which have been determined to be eligible participants under regulations governing the Program. Institutions and organizations which may become eligible, providing they meet Federal criteria, are specifically listed above in Par. III.

V. **Significant Rules and Regulations**:

1. Property obtained through the program must be placed in use within 12 months of acquisition and used continuously for a period of 4 years (except vehicles 2 years and aircraft special conditions) (also except consumable items such as paper, pencils, paint, etc.) before title passes to using institution.
2. No property may be loaned, leased, sold, traded or be otherwise encumbered by suing institution without written authority of the State agency.
3. Property not placed in use within 12 months must be reported to the State agency.

4. Items of property having a government cost value of $2,500 or more, remain under Federal compliance restrictions for a period of four years (vehicles, 2 years).

5. Property with a line item acquisition cost value of $2,500 or more is accountable to the United States Department of Health, Education and Welfare during the period of restriction (2 years or 4 years use, depending on item).

6. Misuse of property may result in liability to the U.S. Government for full value of the property involved.

VI. Available Publications on Program: The Surplus Property Program in New York State - How your Institution may Benefit available to all but Civil Defense organizations from the State Agency.

VII. Procedures in Applying for Approval: Written request to State agency for determination of eligibility to participate in program.

VIII. Disbursement of Federal Funds: Disbursement made of property; no cash transactions involved.

IX. Local Matching Provisions: 100% Federal

X. Fiscal Procedures: State agency must recover program administrative costs. Levies assessments averaging 3% of government cost value of property against property received by eligibles.

XI. Administrative Agency: The New York State Educational Agency for Surplus Property, State Education Department; Mr. Fred E. Buker, Chief. (518-474-3814)

3. Cafeteria Equipment

I. **Federal Program:** Non food Assistance Program under Child Nutrition Act.

II. **Reference to Law:** Page 319-320; Sec. 5 Child Nutrition Act of 1966.

III. **Eligible Participants:** Public and non-profit private schools.

IV. **Basic Provisions:** Grants-in-aid to assist States to supply schools, with attendance from areas of poor economic condition, with equipment for storage, preparation, transportation and serving food through the school food service program.

SPECIAL NOTE: Due to very small Federal appropriation, thus far, for this program, participation has been limited to a few districts showing greatest need, as described in the Act.

V. **Significant Rules and Regulations:**

1. Schools, to participate, must provide justification of need for such assistance and the inability of the school to finance the food service equipment needed.
2. Funds will be paid to schools in which poor economic conditions exist and which have no or grossly inadequate food service equipment.

VI. **Available Publications on Program:** None available at time of printing.

VII. **Procedures in Applying for Approval:** Approval of request by a school for funds for equipment must be granted prior to purchase. Request for approval must be accompanied by a detailed description of equipment to be acquired and the plans for the use of it in meeting the nutritional needs of the children.

VIII. **Disbursement of Federal Funds:**

1. Apportionments to States made on the same basis as under section 4 of National School Lunch Act.

2. Disbursements to local districts through State Education Department, Division of Educational Finance.

IX. Local Matching Funds: None required

X. Fiscal Procedures:

Claim for reimbursement submitted to Division of Educational Finance.

XI. Administrative Agency: School Food Service and Nutrition, Division of Educational Finance, Miss Helen Diehl, Administrator. (518-474-3956)

I. **Federal Program:** Library Services and Construction

II. **Reference to Law:** Pages 271-274; Title II Library Services and Construction Act.

III. **Eligible Participants:** Public library systems, registered public libraries belonging to library systems.

IV. **Basic Provisions:** A grant of 25% of the total cost of construction of a public library facility, up to a maximum of $200,000 for a separate library or system headquarters building, or $400,000 for a combined central library and system headquarters building. For small public libraries serving fewer than 10,000 persons, a grant of 25% of total cost, up to a maximum of $200,000.

V. **Significant Rules and Regulations:**

1. Grants are available only for public library construction.
2. Applicant libraries must meet minimum standards of public library operation as stated in the Criteria.

VI. **Available Publications on Program:** Criteria for Selection of Public Library Building Projects to Receive Federal Grants in Aid. Public Library Construction Grants Announced. Bookmark, January 1965.

VII. **Procedures in Applying for Approval:**

1. Applicant submits PRELIMINARY APPLICATION.
2. PRELIMINARY APPLICATION is screened for eligibility according to Criteria.
3. Applicant is notified of eligibility to submit FINAL APPLICATION.
4. FINAL APPLICATION is screened according to:
    (a) Criteria,
    (b) fiscal readiness,

(c) construction readiness.

5. Application is forwarded to Library Services Branch, U.S. Office of Education, for approval and funding.

6. Contract between State Education Department and applicant is executed.

VIII. Disbursement of Federal Funds: Disbursement of Federal Funds available to New York State under this Act are approved by the Library Extension Division, State Education Department, and disbursed by the Division of Educational Finance.

IX. Local Matching Provisions: Federal grant must be matched by 75% local public funds, or in the case of small public libraries, by 65% local public funds.

X. Fiscal Procedures: Payments are schedules over the duration of the construction project as various parts of the job are completed. Advance payments to a locality are in three parts of 30%, 30%, and 30%, with a final 10% withheld until final audit.

XI. Administrative Agency: Library Extension Division, State Education Department, Miss Jean L. Connor, Director.

SPECIAL NOTE: FOR LIBRARIES LOCATED IN "APPALACHIAN REGION" UNDER THE PROVISIONS OF THE APPALACHIAN REGIONAL DEVELOPMENT ACT THE FEDERAL SHARE OF COSTS MAY BE INCREASED TO A MAXIMUM OF 80 PER CENT.

I. **Federal Program**: Library Services and Construction

II. **Reference to Law**: Pages 271-274; Title I Library Svcs. & Construction Act.

III. **Eligible Participants**: Public library systems; in limited circumstances central libraries; successful candidates for public library training grant awards.

IV. **Basic Provisions**: Grants to library systems for performance of system-initiated projects developed in relation to eight major objectives: extension; reference service; cooperative systems for advanced reference services; disadvantaged; intersystem experimental programs and planning to meet reader needs; cooperation to meet student needs; personnel, leadership, education; audiovisual resources. Specific grants to library systems for initiation or extension of bookmobile service; establishment grants for books for new libraries meeting standards of population and support; reference personnel to strengthen central libraries (in special circumstances, grant may be made to central library); attendance at special workshops and training programs; etc. Scholarship grants to individuals for public library training in graduate library schools.

V. **Significant Rules and Regulations**:

1. Grants are available only for public library service.
2. Applications for grants must be approved by the trustees of the public library system, and where the central library and/or member libraries are involved by their boards of trustees.
3. Public library systems are asked to limit open planning project applications to two per year.

VI. Available Publications on Program: New York State Plan Under the Services Title of the Federal Library Services and Construction Act For 1966-67. LSCA--Services Title: Open End Planning, Bookmark, January 1965. Library Services and Construction Act Services Title Projects, Bookmark, January 1966; May 1966. Various memoranda describing specific grants - published by the New York State Education Department.

VII. Procedures in Applying for Approval:

1. Applicant provides description and budget of proposed project. Form to be used:
    - (a) For system initiated projects - SERVICE PROJECT APPLICATION
    - (b) For reference personnel - APPLICATION FOR GRANT FOR PERSONNEL UNDER PROJECT II A.1 OF NEW YORK STATE PLAN UNDER THE LIBRARY SERVICES AND CONSTRUCTION ACT - SERVICES TITLE.
    - (c) For establishment grants - APPLICATION: ESTABLISHMENT GRANT FOR BOOKS FOR NEW LIBRARIES.

   Other application forms for specific grants are being prepared.
2. Applications are screened.
    - (a) Decisions on awards for system initiated projects are based on guidelines listed in the State Plan.
    - (b) Decisions on awards on specific grants are made on the basis of criteria stated in the announcements of the grants.
3. Contract between State Education Department and applicant library system or central library is executed.

VIII. Disbursement of Federal Funds: Disbursement of Federal funds available to New York State under this Act is approved by the Library Development Division, State Education Department, and disbursed by the Division of Educational Finance.

IX. Local Matching Provisions: Local matching funds required only for establishment grants for books for new libraries.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each approved applicant on the basis of the estimated cost of operation of project identified in contract between the State Education Department and applicant library.
2. On the basis of the approved budget, a 50% advance of funds will be made to applicant library.
3. A supplemental 25% advance may be requested at a later date upon satisfactory progression of project.
4. A final reimbursement of actual costs incurred will be made at the conclusion of project via form FA-269-3S LIBRARY SERVICES CLAIM FOR FINAL REIMBURSEMENT.

XI. Administrative Agency: Library Development Division, State Education Department. Miss Jean L. Connor, Director. (518-474-5936)

TENTATIVE

I. **Federal Program:** College Library Resources

II. **Reference to Law:** Higher Education Act of 1965, Title II, Part A

III. **Eligible Participants:** Higher Education Institutions

IV. **Basic Provisions:** Matching basic grants up to $5,000 per institution per year for the purchase of library resources above a maintenance of effort level. Supplemental grants provided in addition to basic grants in circumstances of particular need. Special purpose grants provided in circumstances wherein unusual objectives prevail.

V. **Significant Rules and Regulations:**

1. To be eligible to participate an applicant institution must meet certain minimums in the four criteria of: maintenance of library facilities, providing an acceptable educational program maintaining a public or other non-profit institution and accreditation. (These are further described in guidelines).
2. There are three types of grants for which application may be made by an eligible institution of higher education:
   (a) **Basic grants** for the purchase of books, periodical documents, magnetic tapes, phonograph records, audiovisual materials and other related materials for library purposes.
   (b) **Supplemental grants** for the purchase of additional library resources (described in (a) above) for institutions which can show that special circumstances are impeding, or will impede, proper library resources development.
   (c) **Special purpose grants** for the purchase of library materials for institutions showing special need for additional resources, or for institutions to meet special national or regional needs

in the library or for combinations of institutions which need special assistance in establishing and/or strengthening joint-use facilities.

3. An applicant institution, to be eligible, must show that the total of all library expenditures will be an amount not less than average expended for those purposes, during two-year period previous to June 30, 1966, and that the total expenditures for books and similar materials will be an amount not less than the average expended, for those purposes, during two-year period previous to June 30, 1966.

VI. Available Publications on Program: None available at time of printing.

VII. Procedures in Applying for Approval:

1. Institution obtains guidelines from Division of Library Services and Educational Facilities, Bureau of Adult and Vocational Education, U.S. Office of Education.
2. Institution, after determining type of application to be made (basic, supplemental, or special purpose grant), submits application to U.S. Office of Education.
3. Reports must be submitted periodically, to U.S. Office of Education (Bureau of Adult & Voc. Education), of progress of approved program.

VIII. Disbursement of Federal Funds: Disbursed directly from U.S. Office of Education to participating institution.

IX. Local Matching Provisions: For basic grants, 50% Federal Funds, 50% non-Federal Funds. For supplemental grants no matching required (Grant, however, may not exceed $10 per full-time student. For special purpose grants 75% Federal Funds, 25% non-Federal.

X. Fiscal Procedures: Contractural agreement between institution and U.S. Office of Education.

XI. Administrative Agency: Division of Library Services and Education Facilities, Bureau of Adult and Vocational Education, U.S. Office of Education. (Program Officer: Mr. Robert Havlik).

RESEARCH, PILOT OR DEMONSTRATION PROGRAMS

1. Adult Basic Education

I. Federal Program: Pilot Programs in Adult Basic Education

II. Reference to Law: Pages 321-323; Adult Education Act of 1966 (P.L. 89-750)

III. Eligible Participants: Public school district - pilot program in the area of literacy training for adults 18 years of age and over who have less than an eighth grade competency in reading.

IV. Basic Provisions: Full reimbursement to public schools for approved expenditures necessary to test, adapt, or modify existing instructional material; produce and test new materials; experiment with teaching methods and classroom procedures; evaluate programmed material and teaching systems.

V. Significant Rules and Regulations: All materials produced, all methods invented, the description of all procedures and techniques used and all other data collected in project will become the property of the State Education Department for evaluation and, if feasible, sharing with other school districts in the State and United States Office of Education.

VI. Available Publications on Program: Advisory Bulletins Nos. 1, 2, 3, 4 and 5 prepared by and available from the Bureau of Basic Continuing Education, New York State Education Department.

VII. Procedures for Applying for Approval: To operate adult basic education pilot programs under the Adult Education Act of 1966 and become eligible for financial reimbursement, an application and program budget (forms provided) bearing the signature of the superintendent or supervising principal must be submitted to the Bureau of Basic Continuing Education for approval (see ADVISORY BULLETIN #1 which has been sent to all superintendents, supervising principals and directors of adult education).

VIII. Disbursements of Federal Funds: Federal funds under this program are allocated to the State and, in turn, are disbursed to boards of education through the State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: No local matching funds required. 90% Federal funds - 10% State funds.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local agency on the basis of purchase orders to be issued or contracts to be entered into a July 1 - June 30 fiscal period or, in the case of services, for services to be performed in positions approved by the local board of education on or prior to June 30 of such fiscal year. Such encumbrance is established at the State level via Form FA-452(P1) ADULT BASIC EDUCATION PILOT BUDGET and is based on the total cost of approved program expenditures identified therein.
2. On the basis of an approved budget, a 50% advance of funds will be made to the local agency.
3. A supplemental 25% advance may be requested at a later date upon satisfactory progression of the program and local need for such funds to continue program operations.
4. A final reimbursement of actual costs incurred will be made at the conclusion of the project on Form FA-452(P2) CLAIM FOR REIMBURSEMENT UNDER ADULT BASIC EDUCATION PILOT PROJECT. The difference between the amounts actually spent and the amount of advances made by the State will be the amount of final reimbursement.
5. An encumbrance established at the State level for a local educational agency must be liquidated by such agency 14½ months following the close of the fiscal year in which such encumbrance was established. For purposes of this program, an encumbrance in considered liquidated on the date the check is drawn for payment by the local agency.

XI. Administrative Agency: Bureau of Basic Continuing Education, New York State Education Department. Mr. Alfred T. Houghton, Chief. (518-474-3983)

I. **Federal Program**: Community Service and Continuing Education - Higher Education Institutions.

II. **Reference to Law**: Pages 311-314; Title I, Higher Education Act of 1965.

III. **Eligible Participants**: Degree granting Higher Education Institutions.

IV. **Basic Provisions**:

1. Development of a State Plan to strengthen the public service resources of higher education institutions.
2. Grants-in-aid to institutions of higher education to support programs aimed at the solution of community problems, particularly urban and suburban.

V. **Significant Rules and Regulations**:

1. The State Plan must described a coordinated, statewide system of community service programs for which Federal funds will be spent.
2. In general, only institutions of higher education chartered by, and offering degree credit registered with or approved by the Board of Regents may submit proposals.
3. All proposals must focus on the two basic purposes of Title I of the Higher Education Act of 1965 - the solution of some local variation of a community problem and the strengthening of continuing higher education.
4. Institutions submitting proposals must determine that the program developed will utilize, effectively, the special resources and faculty of the institution.
5. Institutions submitting proposals may not use these funds to supplant funds otherwise available for Continuing Education and Community Service Programs.

6. Funds may not be used to support participation of schools or departments of divinity in State Title I Program.

VI. Available Publications on Program:

1. A State Plan for Community Service and Continuing Education Programs under Title I of the Higher Education Act of 1965 for New York State as amended.

2. Guidelines For Submission of Proposals for Title I of the Higher Education Act of 1965.

(Both publications available from the Division of Higher Education, New York State Education Department).

VII. Procedures in Applying for Approval:

1. Institution contacts Division of Higher Education, New York State Education Department, to determine eligibility and for copies of most recent State Plan and Guidelines.

2. Institution plans community services and programs to be funded, which are consistent with the statewide system and which satisfy as well as possible criteria for approval of projects as defined in the Annual Program Guide provided by State Education Department.

3. Proposal is submitted to the Division of Higher Education for review. Approval must then be granted by New York State Board of Regents.

4. Proposal approved for funding from fiscal 1967 funds may begin anytime after notice of approval but must terminate prior to September 15, 1968.

VIII. Disbursement of Federal Funds: Federal Funds under this Act are allocated to the State Agency (Regents), administered by the State Education Department and disbursed to higher education institutions with approved projects through the Division of Educational Finance, New York State Education Department.

IX. Local Matching Provisions: 75% Federal - 25% non-federal during fiscal 1967; and 50% Federal - 50% non-federal during fiscal 1968, 1969, 1970. Matching provisions are state-wide and it is, therefore, not necessary for each institution to provide 25% of the cost of the approved projects. (See Guidelines).

X. Fiscal Procedures:

1. Advance payment of 50% of approved project total is forwarded upon project approval.
2. An additional 25% of the approved total is forwarded when needed, upon request. This request must be accompanied by summaries of project progress to date and budget expenditures to date.
3. Final Payment based on claims for reimbursement submitted at conclusion of project.

XI. Administrative Agency: Bureau of Special College Programs, Division of Higher Education, State Education Department, Dr. George D. Wiepert; Associate in Higher Education. (518-474-8181)

RESEARCH, PILOT OR DEMONSTRATION PROGRAMS
3. Educational Media

I. **Federal Program:** Research and Experimentation in New Educational Media

II. **Reference to Law:** Pages 235-241; Title VII-A, National Defense Education Act.

III. **Eligible Participants:** Public or private non-profit agencies, organizations and individuals.

IV. **Basic Provisions:** **Part A** - Research and Experimentation in more effective utilization of a television, radio, motion pictures and realted media for educational purposes such as research and experimentation must be of value in operation of elementary or secondary schools or institutions of higher learning.

V. **Significant Rules and Regulations:** Research, experimentation and dissemination must be of value to State or local agencies in the operation of elementary and secondary schools and institutions of higher learning.

VI. **Available Publications on Program:** **Form NDEA VII - 1 (Rev)** published by U.S. Office of Education, Washington, D.C.

VII. **Procedures in Applying for Approval:**

1. Application must be in proposal form as outlined in form NDEA VII-1 (Rev).
2. Application to be reviewed by Division of Educational Communications of State Education Department.
3. Application deadlines February 1 and August 1 when proposals must be in to U.S. Office of Education. Proposals must be into State Education Department in January 1 and July 1.

VIII. **Disbursement of Federal Funds:** Funds are allocated directly to educational agency and supplied according to total requirement and disbursement schedule.

IX. Local Matching Provision: None stipulated in law. Amount of local share, if any, dependent upon size of grant awarded.

X. Fiscal Procedures:

1. No funds may be used for the purchase of equipment.
2. Any established accounting procedure may be used. Generally, this is the one used by the local agency.
3. Funds subject to audit during life of grant and for a three year year period thereafter.

XI. Administrative Agency: Title VII Office, Bureau of Research, U.S. Office of Education. (Consultant services of New York State Education Department available from Division of Educational Communications, Mr. Warren French, Associate). (518-474-5825)

RESEARCH, PILOT OR DEMONSTRATION PROGRAMS
4. Elementary and/or Secondary Instruction (ESEA III)

I. **Federal Program**: Supplementary Educational Centers and Services

II. **Reference to Law**: Pages 291-306;Title III, Elementary and Secondary Education Act of 1965.

III. **Eligible Participants**: Local public educational agencies.

IV. **Basic Provisions**: To provide supplemental educational centers or services to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

V. **Significant Rules and Regulations**: A grant may be made only if there is satisfactory assurance that in the planning of that program there has been, and in the establishing and carrying out of that program there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. Such would include State educational agencies, institutions of higher education, non-profit private schools, public and non-profit private agencies, and other cultural and educational resources.

VI. **Available Publications on Program**: Copies of the Federal Manual for project applicants and the New York State Supplement to the Manual are available from the Regional Supplementary Educational Centers and from the State Education Department.

VII. **Procedures for Applying for Approval**: Grants may be made only after approval of an application to the U.S. Commissioner of Education, with copies to be sent simultaneously to the State Education Department, at such time or times, in such manner, and containing such information as the Commissioner deems necessary.

VIII. Disbursement of Federal Funds: **Federal funds under this program are granted directly by the U.S. Commissioner of Education to the local applicant. Such grant is drawn from the State's appropriation under this Act.**

IX. Local Matching Provisions: **100% Federal Funds within limits of approved grant.**

X. Fiscal Procedures: **Payments under this Title may be made in installments, in advance or by way of reimbursement -- with necessary adjustment in the event of over-payment or under-payment.**

XI. Administrative Agency: **Assistance available from Dr. Norman Kurland, Director, Title III Office, Center on Innovation, State Education Department. (518-474-6458)**

RESEARCH, PILOT OR DEMONSTRATION PROGRAMS
4. Elementary and/or Secondary Instruction
(CRS)

I. Federal Program: Cooperative Research Program

II. Reference to Law: Pages 233-234; Cooperative Research Act.

III. Eligible Participants: The United States Commissioner of Education is authorized to "make grants to universities and colleges and other public or private (non-profit) agencies, institutions, and organizations, and to individuals, for research, surveys, and demonstrations in the field of education."

SPECIAL NOTE: UNDER THE PROVISIONS OF THIS ACT, A LOCAL EDUCATIONAL AGENCY MAY OBTAIN GRANTS EITHER (A) DIRECTLY THROUGH THE U.S. OFFICE OF EDUCATION OR (B) THROUGH THE NEW YORK STATE EDUCATION DEPARTMENT IN PARTICIPATION WITH THE U.S. OFFICE OF EDUCATION. THE REFERENCES BELOW IDENTIFY THE FOREGOING ADMINISTRATIVE ARRANGEMENTS.

IV. Basic Provisions:

A. No formula to determine ratio of Federal to local support of projects, but submitted budget should demonstrate local willingness to underwrite a part of the cost for any project.

B. The five program areas to which proposals may be submitted are:

1. The Basic and Applied Research Program
2. The Curriculum Improvement and Demonstration Program
3. The Developmental Activities Program
4. The Small Contract Program
5. The Research and Development Center Program

V. Significant Rules and Regulations:

A. No grant shall be made until the U.S. Commissioner has obtained the advice and recommendations of a panel of specialists who are not employees of the Federal Government and who are competent to evaluate the proposals.

B. Project applications are subject to United States Office of Education instructions and State Agency guidelines as follows:

Deadlines	Program	Notification of action
September 1, December 1, and March 1	Basic and Applied Research, Curriculum Improvement and Demonstration Program	3 months after deadline
None	Small Contract Development Activities	3-4 months after receipt of proposal
December 1	Research and Development Centers	6 months after receipt of proposal

VI. Available Publications on Program:

1. OE - 2105-1 Basic and Applied Research Program Application Instructions
2. OE - 2105-2 The Curriculum Improvement Program
3. OE - 2105-3 Demonstration Program Application Instructions
4. OE - 2105-4 Small Contract Program

VII. Procedures in Applying for Approval:

A & B. Applications prepared strictly according th USOE instructions

B. Submission to Office of Research and Evaluation, New York State Education Department for review and endorsement well in advance of USOE deadline.

VIII. Disbursement of Federal Funds: Funds are paid to the local agency or individuals through the Administrative Agencies.

IX. Local Matching Provisions: No matching provisions stipulated in law. Amount of local share, if any, dependent upon size of grant awarded.

X. Fiscal Procedures: Estimated cost of project identified in budget submitted as part of initial project application. Amount of grant awarded based upon such budget.

XI. Administrative Agency:

A. Office of Education, Department of Health, Education and Welfare, Washington, D.C.

B. New York State Education Department, Office of Research and Evaluation, Lorne H. Woollatt, Associate Commissioner.

I. **Federal Program**: Research and Demonstration Projects in Education of Handicapped Children

II. **Reference to Law**: Page 261; Title III Mental Retardation Facilities and Community Mental Health Centers Construction Act.

III. **Eligible Participants**: States, State or local educational agencies, public and non-profit institutions of higher learning, and other public or non-profit private educational or research agencies or organizations.

IV. **Basic Provisions**: The general purposes of the research and demonstration program are to:

(1) Translate findings of research from the social and behavioral sciences into practical applications for the education of handicapped children and youth;

(2) generate programs and procedures for classroom teachers and educational specialists which will make full use of known facts, ideas, and theories;

(3) create educational environments and situations in which the implementation of new programs, procedures, and processes may be demonstrated; and

(4) in general, improved the education of handicapped children through innovations in various learning situations as well as in classroom procedures, methods, and materials.

V. **Significant Rules and Regulations**:

1. Research projects should be designed to develop knowledge which is directly applicable to various learning situations and which will have an impact on educational programs for the handicapped. This project should include investigation into unique problems and procedures of classroom practice and program operation.

2. Demonstration projects should be designed to translate research results, sound observation, and ideas into operation by demonstrating new programs, procedures, classroom methods, and materials for the education of the handicapped
3. Projects need not be limited to conventional labels of mentally retarded, deaf, blind, etc. Consideration should be given to basic concepts which cut across areas of disability.

VI. __Available Publications on Program__: __Purpose, Policies, And Procedures; Grant-In-Aid Program__ (OE2154). Published by U.S. Office of Education, Washington, D.C.

VII. __Procedures in Applying for Approval__:

1. Obtain copy of instructions for submitting an application for a research or demonstration project by writing to the Research and Demonstration Branch, Division of Handicapped Children and Youth, Office of Education.
2. There are two submission deadline dates each year - August 1 and January 15.
3. Notice regarding the status of proposals reviewed will be sent to the applicants within 3 to 4 months following each deadline.

VIII. __Disbursement of Federal Funds__: Direct grants made by the U.S. Office of Education for the support of an approved research or demonstration project.

IX. __Local Matching Provisions__: No matching provisions stipulated in law. Amount of local share, if any, dependent upon size of grant awarded by Federal Government.

X. __Fiscal Procedures__: Estimated cost of project identified in budget to be submitted as part of initial project application. Amount of grant awarded based upon such budget and may be made in installments, in advance or by way or reimbursement.

XI. Administrative Agency: Research and Demonstration Branch, Division of Handicapped Children and Youth, Bureau of Educational Research and Development, Office of Education, 400 Maryland Avenue, SW, Washington D.C.

I. Federal Program: Pilot Research Training and Demonstration in Vocational Education.

II. Reference to Law: Pages 265-269; Sec. 4c Vocational Education Act

III. Eligible Participants: Local school systems, community colleges and technical colleges, universities, public agencies of the State or a municipality and non-profit agencies. Private colleges and universities and educational agencies are also included.

IV. Basic Provisions: Elibible agencies are invited to submit proposals by various channels for pilot research training demonstration and experimental programs at all levels of occupational education which do not lead to a baccalaureate degree. Programs can be in new training methods, materials or in training for new occupations or in support of services and techniques, such as guidance for remedial reading and other necessary skills. Although some local funds must be committed, reimbursement is on a sliding scale as determined by the level of the support by the Office of Education. General areas of research might be: the characteristics, nature, aptitudes, needs, attitudes, or basic education requirement of the vocational student; occupational opportunities, such as new jobs, retraining or upgrading for old positions, determining which occupations may have related clusters for which training could foster further job mobility; the vocational facility in terms of materials, programs, methodology, organization of vocational education. Projects may take in the more traditional areas of trade and industrial and technical education, business and distributive occupations including office education, agriculture, wage-earning, home economics or health occupations.

V. **Significant Rules and Regulations**:

1. Proposals must be developed according to official Federal guidelines using U.S.O.E. Preliminary Draft titled: Support for Research and Related Activities.
2. Proposals from community colleges, two year technical institutes, should be first submitted to the Office of Executive Dean, SUNY, Albany, New York.
3. Those coming from SUNY related four year colleges, should be submitted via the office of Dr. Gould, President of SUNY.
4. Proposals coming from private educational agencies or colleges should be first submitted to the Office of the Assistant Commissioner of Higher Education, Attention Mr. Lawrence Gray.
5. Proposals coming from local school systems should be submitted directly to the Bureau of Occupational Education.
6. Proposals from four year colleges, not associated with the SUNY system may be sent directly to Washington with an information copy sent to the appropriate State Education Department agency.
7. Proposals are reviewed in Washington and funding or eligibility is determined by an independent review panel. Publications describing programs as well as copies of planning proposals may be requested from the Office of Research and Evaluation, State Education Department.
8. Small grant proposals for funds less than $10,000 net may be submitted to the United States Office for purposes of development of larger proposals and plans or to conduct small surveys for research projects which do not have large fund expenditures. These small grant proposals are expedited by the United States Office and are not reviewed by outside panels but reviewed internally. For further information concerning

this, Vocational Education Research in the Education Department should be contacted by mail or by phone (518-GR 4-3891).

VI. Available Publications on Program: Support for Research and Related Activities, Bureau of Research, Preliminary Draft - published by United States Office of Health, Education and Welfare. Single copies of this publication may be obtained by writing Bureau of Occupational Education Research, State Education Department, Albany, New York. 12224.

VII. Procedures in Applying for Approval:

1. Obtain a copy of guidelines either from the United States Office or from Bureau of Occupational Education Research.
2. It is suggested that a proposed project be discussed over the phone with the Occupational Education Research unit to determine if the proposal is being duplicated by any other agency in the State, and is the type proposal which would be appropriate under Sec. 4(c).
3. Proposal should be developed and submitted through the appropriate channel mentioned above. The Bureau of Occupational Education Research will review preliminary copies of proposals on request and make suggestions to the initiating agency for changes in design, format, budget, etc. Final copies of proposals should then be sent directly to the State Education Department for approval, if necessary, or if emanating from higher education institutions which are of a private nature may be sent directly to the Office of Occupational Research and Program Planning, Division of Vocational Technical Education, United States Office of Education, Washington, D. C. 20202, Attention Dr. David Bushnell.

VIII. Disbursement of Federal Funds: Federal funds for approved projects are paid directly to the agency introducing the proposal, and funding may be for a year to 18 months.

IX. Local Matching Provisions: Matching on sliding scale as determined by United States Office of Education.

X. Fiscal Procedures: Information on fiscal procedures is provided in Federal Form cited above. Additional information is sent by the United States Office to an agency initiating the proposal.

XI. Administrative Agency: Office of Research and Evaluation, New York State Education Department, Albany, New York, 12224. Dr. Alan Robertson, Chief, Bureau of Occupational Education Research.

RESEARCH, PILOT OR DEMONSTRATION PROGRAMS
7. Communities of All Sizes
(Including Educational
Facilities of Such)

I. **Federal Program**: Assistance for communities of all sizes for comprehensive city demonstration programs.

II. **Reference to Law**: Pages 325-327; Demonstration Cities and Metropolitan Development Act of 1966.

III. **Eligible Participants**: Communities of all sizes, which meet the established criteria of eligibility, as to need for assistance and indications of adequate local initiative in meeting these needs within a reasonably short period of time after application.

IV. **Basic Provisions**: Title I provides grants in technical assistance to help communities plan, develop and carry out comprehensive city demonstration programs (which can include education and the educational system of that city). Two types of assistance are available under Title I, (1) funds from existing Federal grant-in-aid programs and (2) special, supplemental, grants of up to 80 per cent of the total non-Federal contributions required in projects receiving funds from existing Federal grant-in-aid programs. Title II provides supplemental grants for projects receiving aid under certain Federal programs in metropolitan areas where development is being carried out in accordance with their own metropolitan planning and programming.

V. **Significant Rules and Regulations**:

1. Grants are made to a "city demonstration agency." A "city demonstration agency" means the city, the county, or any local public agency established or designated by the local governing body to administer the program under Title I.

2. An application must show: (1) that the physical and social problems of the area require assistance planned, (2) that entire sections or neighborhoods of the city will be renewed, (3) that social and educational disadvantagement, ill health, and underemployment will be reduced, and (4) that the program will contribute to a well-balanced city.

3. Assurance must be provided that adequate local resources are, or will be, available for completion of the program as scheduled.

4. Maximum coordination is required between all agencies, now receiving Federal grants-in-aid which will be afficted by further assistance under this Act.

VI. Available Publications on Program: Not known at time of printing.

VII. Procedures in Applying for Approval:

1. Applications must be made by the "city demonstration agency" after approval of such application by the local governing body of the city.

VIII. Disbursement of Federal Funds: Not specifically defines at time of printing.

IX. Matching Provisions: Local minimum contribution required of 20% of cost of planning and developing a program. Varying percentages of cost of carrying out project required.

X. Fiscal Procedures: Not specifically defines at time of printing.

XI. Administrative Agency: Department of Housing and Urban Development, Washington, D.C.

I. **Federal Program**: Special Milk Program for Children

II. **Reference to Law**: Pages 319-320; Child Nutrition Act of 1966

III. **Eligible Participants**: Public and non-profit private schools of high school grade and under, non-profit child-care institutions and centers.

IV. **Basic Provisions**: Provides reimbursement up to a maximum of four cents for each one-half pint of fluid whole milk served to children in excess of the one-half pint that is part of the Type A lunch.

V. **Significant Rules and Regulations**:

1. Program must be non-profit in nature
2. All income derived therefrom must be used for program purposes and must therefore be reflected in a reduced selling price to the children.

VI. **Available Publications on Program**: None except information which accompanies annual applications sent to schools.

VII. **Procedures for Applying for Approval**:

1. Application (SA-620) and agreement (SA-610) must be submitted and approved prior to starting program.
2. Annual renewal must be submitted each year thereafter (form SA-620).
3. Reimbursement rates are assigned to each school based in part upon the cost of milk to the school and the selling price to children.

VIII. **Disbursement of Federal Funds**: Funds are allocated to the State monthly and are disbursed to the local educational agencies through the State Education Department, Educational Finance.

IX. **Local Matching Provisions**: None required under law.

X. **Fiscal Procedures**: Schools submit monthly claims on forms provided by the State Education Department. Reimbursement is made for all fluid whole milk served under the Special Milk Program for Children or used in meal preparation during the month.

XI. **Administrative Agency**: Division of Educational Finance, State Education Department. Mr. Fred J. Fick, Supervisor of School Lunch Aid.

SCHOOL CAFETERIA OPERATIONS
2. School Lunch

I. **Federal Program:** School Lunch Program

II. **Reference to Law:** Pages 209-211; National School Lunch Act.

III. **Eligible Participants:** Public and non-profit private and parochial schools operating a non-profit food service.

IV. **Basic Provisions:** Cash reimbursement available to participating schools for lunches which meet the nutritional requirements designated as a Type A meal served to children in grades K-12.

V. **Significant Rules and Regulations:**

1. Annual approval of "School Lunch Program Agreement" (Form SL-2) is required on form SA 624 (Application for Participation in the National School Lunch Program) to operate an approved school lunch program.
2. Operation of food service must be on a non-profit basis.
3. Type A nutritional requirements must be met in each meal claimed for reimbursement. Such lunches must contain as a minimum:
   (a) One-half pint of fluid whole milk as a beverage.
   (b) Two ounces (edible portion as served) of lean meat, poultry, or fish; or two ounces of cheese; or one egg; or one-half cup of cooked dry beans or peas; or four tablespoons of peanut butter; or an equivalent quantity of any combination of the above listed foods.
   (c) A three-fourth cup serving consisting of two or more vegetables or fruit, or both.
   (d) One slice of whole grain or enriched bread; or a serving of cornbread, buscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour.

(e) Two teaspoons of butter or fortified margarine.

4. Free or reduced price meals should be offered to children determined to be unable to pay the normal charge.

5. Local and State health regulations must be observed.

VI. Available Publications on Program: National School Lunch Program PA-19; Planning Guide for A Menu Type A School Lunches PA-719; Food Buying Guide PA-270; Equipping School Lunchrooms PA-292; Food Storage Guide for Schools and Institutions PA-403; Planning and Equipping the School Lunchroom #16; Selected Bibliography for School Lunch Programs; Quantity Recipes for Type A School Lunches PA-631; Guide for Training School Lunch Personnel for Supervising the Dining Room in the Elementary School; Your School Lunch Program; News and Notes (issued monthly).

VII. Procedures in Applying for Approval:

1. Application must be submitted and approved by the State Education Department prior to starting program.
2. Signature of elected officer of governing board and
3. Delegation of responsible person in school to submit claims etc. must be filed with the State Education Department.

VIII. Disbursement of Federal Funds: Federal funds allocated to the states monthly in accordance to a formula based on per capita income and participation. Reimbursement is paid monthly based on claims submitted by schools for each month's operation.

IX. Local Matching Provisions: None required under law.

X. Fiscal Procedures: Schools submit MONTHLY CLAIM FORM SA-602, for reimbursement of 9¢ for each Type A lunch, served to children and meeting the necessary nutritional requirements. All monies accruing to the program may be used for School Lunch purposes only.

XI. **Administrative Agency:** School Lunch Supervision, Division of Educational Finance. Miss Helen Diehl, Administrator.

I. Federal Program: Foods Distribution Program

II. Reference to Law: Authorization under various enactments. Legal reference not cited herein.

III. Eligible Participants: Public and non-profit private and parochial schools operating on non-profit food service.

IV. Basic Provisions: Participating schools are supplied donated food commodities for use in the School Lunch Program. Such commodities are made available to the State Education Department through the United States Department of Agriculture.

V. Significant Rules and Regulations: Schools should be participating in the National School Lunch Program.

VI. Available Publications on Program: Direct Distribution Program PA-555. Information bulletins are issued periodically by the Division of Educational Finance.

VII. Procedures in Applying for Approval: AGREEMENT FOR DIRECT DISTRIBUTION FORM SA-300 must be submitted and approved prior to participation in program.

VIII. Disbursement of Federal Funds: No cash involved. Food commodities are distributed six times annually to participating schools. The allocation is based on the average daily number of lunches served to children.

IX. Local Matching Provisions: None stipulated under Law.

X. Fiscal Procedures: Schools are assessed annually for their proportionate share of warehousing costs.

XI. Administrative Agency: Division of Educational Finance, State Education Department. Mr. Fred J. Fick, Supervisor of School Lunch Aid.

I. **Federal Program:** School Breakfast Program (Pilot Programs).

II. **Reference to Law:** Pages 319-320;Sec. 4 Child Nutrition Act of 1966.

III. **Eligible Participants:** Public and non-profit private schools.

IV. **Basic Provisions:** Grants-in-aid, and other means, to assist States in initiating, maintaining, or expanding non-profit breakfast programs in schools.

SPECIAL NOTE: Due to very small Federal appropriation, thus far, for this program, the scope for participation has been limited to pilot breakfast programs in areas of need.

V. **Significant Rules and Regulations:**

1. Breakfasts served shall consist of a combination of foods and shall meet minimum nutritional requirements.
2. Breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast.

VI. **Available Publications on Program:** None available at time of printing.

VII. **Procedures in Applying for Approval:**

1. Application must be submitted and approved by the State Education Department prior to starting program.
2. Signature of elected officer of governing board.

VIII. **Disbursement of Federal Funds:**

1. Reimbursement for Breakfast Programs paid monthly based on claims submitted by schools for each month's operation.
2. Payments made through State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: None required under Law.

X. Fiscal Procedures: Schools submit monthly claim form for reimbursement of breakfasts served to children. Rate of reimbursement shall be up to 15 cents per breakfast or cost of food, whichever is less.

XI. Administrative Agency: School Food Service and Nutrition, Division of Educational Finance, Miss Helen Diehl, Administrator. (518-474-3956)

I. Federal Program: ESEA - TITLE II (P.L. 89-10).

II. Reference to Law: Pages 291-306; Elementary and Secondary Education Act of 1965 - Part B.

III. Eligible Participants:

Basic Grants - Local Public school districts; Boards of Cooperative Educational Services; Campus Schools of the State University of New York and the City University of New York; other public agencies providing approved programs of Elementary or secondary education.

Special Purpose Grants - Local public school districts; Boards of Cooperative Educational Services; Campus Schools of the State University of New York and the City University of New York; other public agencies providing approved programs of elementary or secondary education; public library systems; and public libraries.

IV. Basic Provisions: Direct grants will be made to eligible participants for the acquisition of school library resources, textbooks, audio-visual materials, and other printed or published instructional materials. Grants to eligible participants will be based on program priorities, standards, and criteria.

V. Significant Rules and Regulations:

1. All resources must meet the selection criteria and policies of the public agency.
2. All applications will be subject to review and final approval by the State agency.
3. All public agencies receiving grants for public *and* private school students must establish procedures for the loan of resources to private school students and teachers enrolled in schools situated within the geographical boundaries of the public school district.

4. Expenditures under Title II are restricted to printed and published materials inclusively. Equipment, instructional supplies and instructional staffing are not eligible.

VI. Available Publications on Program:

Planning Guide - Published by New York State Education Department, Bureau of School Libraries. Library and Multimedia Projects - Descriptions of Special Projects approved under Title II, Elementary and Secondary Education of 1965 - Published by the Bureau of School Libraries.

VII. Procedures in Applying for Approval:

1. Eligible agencies will apply for a Basic Grant under Title II directly to the State agency using Forms A and B as directed.
2. Eligible agencies will apply for a Special Purpose Grant under Title II directly to the State agency using Form D.
3. Itemized lists of resources do not need to accompany grant applications.
4. Agencies will be notified by Bureau of School Libraries of disposition of application.
5. Private school children may benefit by having private school officials apply in their name directly to the local public school district in which the private school is situated. Private school children are eligible for equitable loan benefits under this Title. To accomplish this, private schools must use Form B which will be submitted to the local public school district.
6. Public agencies requesting a variance from the formula governing the acquisition of resources must make special application. No special form is required, simply a written statement of justification.

VIII. Disbursement of Federal Funds: Federal Funds under this program are allocated to the State on a fiscal year basis and in turn are disbursed to the local educational agencies by the State Education Department. Such disbursement is made through the Education Department's Division of Educational Finance.

IX. Local Matching Provisions: 100% Federal Funds.

X. Fiscal Procedures:

1. A first advance payment of 50 percent of an approved project budget is to be made to the participating public agency following application approval.
2. A second advance payment, normally equal to 75 percent of the approved total of the project budget minus the amount of first advance payment, is made upon receipt of REQUEST FOR ADVANCE PAYMENT (form FA-25AP) in the Division of Educational Finance. Such payment is made, however, only after an approvable TITLE II (ESEA) (FORM E) REPORT OF COMMITMENTS is received by the Bureau of School Libraries.
3. When the second advance payment has not constituted a final advance, a final advance payment will be made following receipt and processing by the Division of Educational Finance of a REQUEST FOR ADVANCE PAYMENT UNDER FEDERAL PROJECT (Form FA-25AP).
4. A TITLE II (ESEA) (FORM G) FINAL REPORT OF PROJECT EXPENDITURES (accompanied by a single copy of each paid invoice) is to be submitted to the Division of Educational Finance immediately upon completion of all project expenditures. All payments must be made by the participating public agency within 14½ months following the close of the fiscal year to which the grant applies.

XI. Administrative Agency: Bureau of School Library Service, New York State Education Department, Mr. Frank A. Stevens, Chief. (518-474-4972).

TEACHER PROGRAMS

1. English, Reading, History, Geography, School Library, Educational Media, Disadvantaged Youth, Civics, Economics, Industrial Arts, Modern Foreign Language

I. Federal Program: NDEA Institutes for Advanced Study

II. Reference to Law: Pages 235-241; Title XI National Defense Education Act

III. Eligible Participants: Public and nonpublic elementary and secondary teachers, supervisors, school library personnel, and educational media specialists. Teachers in junior colleges eligible if one-half or more of schedule is grade 12 or below.

IV. Basic Provisions: Summer and academic year institutes designed to meet participant's needs for more extensive knowledge of subject matter and for increased competency in the use of new materials.

V. Significant Rules and Regulations

1. Criteria of Eligibility for enrollment in the institutes are determined by the sponsoring institutions.
2. Each institution recruits and selects participants in accordance with the purpose for which the institute is designed.
3. Decision to grant academic credit for attendance at institute rests with institutions.
4. Completed application forms must be sent to the institute directors postmarked no later than March 20.

VI. Available Publications on Program: NDEA Institutes for Advanced Study (OE-25015-68) (List of institutes by area) published by U.S. Office of Education.

VII. Procedures in Applying for Approval:

1. Obtain list of institutes to be held at various institutions in the United States.

2. Obtain application materials from the respective institute directors, not from the U.S. Office of Education.

VIII. Disbursement of Federal Funds: Participants pay no tuition or regularly required fees. All participants may, upon application, receive a stipend of $75 per week for the period of institute attendance and an allowance of $15 per week for each eligible dependent. No travel allowances are provided.

IX. Local Matching Provisions: None, within limits of above stipends.

X. Fiscal Procedures: Stipends paid directly to individual participants upon application.

XI. Administrative Agency: U.S. Office of Education. Information on individual institutes available from respective institute directors (See OE-25015-68)

I. Federal Program: Guidance Institutes

II. Reference to Law: Pages 235-241; Title V-B National Defense Education Act

III. Eligible Participants: Public and private school teachers engaged or preparing to engage in counseling and guidance of students in elementary or in secondary schools or in institutions or higher education including junior colleges and technical institutes.

IV. Basic Provisions: Summer and academic year institutes designed to provide advanced study to improve the qualifications of personnel in the areas of counseling and guidance.

V. Significant Rules and Regulations:

1. Criteria of eligibility for enrollment in the institutes are determined by the sponsoring institutions.
2. Each institute recruits and selects participants in accordance with the purpose for which the institute is designed.
3. Decision to grant academic credit for attendance rest with the institutions.

VI. Available Publications on Program: List of Institutions Conducting NDEA Guidance Institutes During Summer of 1967 and the Academic Year 1967-68. (Mimeographed letter) prepared by the U.S. Office of Education. Also available through New York State Education Department, Bureau of Guidance.

VII. Procedures in Applying for Approval:

1. Obtain list of institutes to be held at various institutions in the United States.
2. Obtain application materials from the respective institute directors, not from the U.S. Office of Education.

VIII. **Disbursement of Federal Funds**: Participants pay no tuition or regularly required fees. All participants may, upon application, receive a stipend of $75 per week for the period of institute attendance and an allowance of $15.00 per week for each eligible dependent. No travel allowances are provided.

IX. **Matching Provisions**: None, within limits of above stipends.

X. **Fiscal Procedures**: Stipends paid directly to individual participants upon application.

XI. **Administrative Agency**: Division of Educational Personnel Training, Bureau of Elementary and Secondary Education, U.S. Office of Education. Information on individual institutes available from respective institute directors.

I. Federal Program: National Defense Language Institutes

II. Reference to Law: Pages 235-241; Title VI National Defense Education Act

III. Eligible Participants: Foreign language teachers, as well as supervisors or trainers of teachers, in public and private schools.

IV. Basic Provisions: Summer and academic year institutes planning to increase audio-lingual proficiency of teachers of modern foreign languages, to improve their knowledge of the culture of related countries and to introduce new teaching methods and materials.

V. Significant Rules and Regulations

1. Criteria of eligibility for enrollment in the institutes are determined by the sponsoring institutions.
2. Each institution recruits and selects participants in accordance with the purpose for which the institute is designed.
3. Decision to grant academic credit for attendance at institute rests with institutions.

VI. Available Publications on Program: Title VI NDEA Language and Area Studies Institutes - Summer 1967 (mimeographed letter). Available from the New York State Education Department.

VII. Procedures in Applying for Approval:

1. Obtain list of institutes to be held at various institutions in the United States.
2. Obtain application materials from the respective institute directors, not from the U.S. Office of Education.

VIII. Disbursement of Federal Funds: Participants pay no tuition or regularly required fees. All participants may, upon application, receive a stipend of $450 for summer study with a dependency allowance of $120 for each dependent up to a total of four. Graduate fellows receive $2,250 per year plus $600 dependency allowance up to a total of four. Post-doctoral fellowships are determined on individual basis.

IX. Matching Provisions: None, within limits of above stipends.

X. Fiscal Procedures: Stipends paid directly to individual participants upon application.

XI. Administrative Agency: Division of Foreign Studies, Bureau of Higher Education, U.S. Office of Education. Information on individual institutes available from respective institute directors.

I. **Federal Program:** Grants for Teachers and Supervisors of Teachers of Handicapped Children

II. **Reference to Law:** Page 261;Title III - Mental Retardation Facilities and Community Mental Health Centers Construction Act.

III. **Eligible Participants:** Individuals currently employed or those who will be employed in the coming academic year as teachers or supervisors in the education of handicapped children and working toward the required special certification.

IV. **Basic Provisions:** Summer and academic year grants to stimulate the training of persons in positions as teachers of handicapped children.

V. **Significant Rules and Regulations:**

1. Applicants must be residents of New York State or give evidence of employment in coming academic year in New York State in a special program for handicapped children.
2. Applicants must be accepted by a university or a college offering approved courses for preparation of teachers of handicapped children.
3. Application for grants to be used in the coming summer session should be on file on or before May 5 preceding.

VI. **Available Publications on Program:** Announcement of New York State Education Department Training Grants and Announcement of Summer Session Traineeships from the U.S. Office of Education published by New York State Education Department, Division for Handicapped Children.

VII. **Procedures in Applying for Approval:**

1. Obtain application form from Division for Handicapped Children, Albany.
2. Complete application and obtain recommendation of the local superintendent as required on form.

3. **Send application to the Director of the Division of Special Education or other appropriate official of the college or university for proof of acceptance and recommendation.**

4. **The college or university concerned will process and forward the application to the State Education Department.**

VIII. Disbursement of Federal Funds: At the time of course registration, an amount covering the cost of full tuition is sent by the State Education Department to the appropriate college or university in the name of the approved applicant.

IX. Local Matching Provisions: A 100 percent grant of Federal funds made for the cost of tuition plus other college fees in an approved course.

X. Administrative Agency: Division for Handicapped Children, New York State Education Department, Dr. Anthony J. Pelone, Director. (518-474-3994)

I. __Federal Program__: National Teacher Corps

II. __Reference to Law__: Pages 311-314; Higher Education Act, Title V-B

III. __Eligible Participants__: Elementary or secondary school teachers or teacher candidates.

IV. __Basic Provisions__: Stipends, training cost grants, and on-the-job compensation for the improvement of elementary and secondary school instruction.

V. __Significant Rules and Regulations__:

1. A local school district, to be eligible, must have at least one school in an attendance area having a high concentration of low income families.
2. The agreement between the local educational agency and the U.S. Office of Education should provide for pre-service and inservice training sessions with a nearby institution of higher education.
3. A local educational agency may not use Corpsmen as replacements for any teacher who is or would be employed by that agency.
4. Individual participants serve as members of The Teacher Corps for two year terms.
5. Interested individuals, to be eligible as interns, must possess interest in becoming teachers of the disadvantaged.
6. Individual participants, offer pre-service training, are assigned to eligible schools as teacher-interns, individual experienced teachers or as a team leader of interns.
7. Teacher-interns may participate, during the two year service period, in in-service programs leading to the masters degree.

VI. __Available Publications on Program__: None available at this writing.

VII. **Procedures in Applying for Approval:**

1. Individual National Teacher Corps Applicant:
   - (a) Application forms and instructions available from National Teacher Corps, U.S. Office of Education.
   - (b) Individual determines probable eligibility as either experienced teacher or intern.
   - (c) If accepted as Corpsman individual receives assignment to institute of higher education for pre-service training.
   - (d) Individual is then assigned to an eligible local educational agency.
2. Local Educational Agency:
   - (a) Application forms and instructions available from National Teacher Corps, U.S. Office of Education.
   - (b) Agency prepares proposal to cover up to two (2) full years activities. Cooperation with an institution of higher education is necessary in planning pre-service and inservice.
   - (c) Upon proposal approval local agency enters into an agreement with the U.S. Office of Education.
   - (d) Agency selects its candidates from files submitted by the National Teacher Corps.
3. Institution of Higher Education:
   - (a) Information and application forms available from National Teacher Corps, U.S. Office of Education.
   - (b) Prepares proposal for pre-service and inservice programs in cooperation with local school district(s).
   - (c) Administers the program(s) by providing staff, supplies, materials, necessary facilities, etc. for selected participants.

VIII. Disbursement of Federal Funds:

1. Stipends directly to individual participants during pre-service.
2. Compensation for on-the-job employment from federal office through local educational agency.
3. Reimbursement directly to institutions of higher education and local districts for approved expenditures.

IX. Local Matching Provisions: 100% Federal funding except 90% Federal funding and 10% local matching for salaries of Corpsmen only.

X. Administrative Agency: National Teacher Corps, U.S. Office of Education, Washington, D.C.

I. **Federal Program:** Institute Program of the National Science Foundation

II. **Reference to Law:** Page 219; National Science Foundation Act

III. **Eligible Participants:** Key teachers in grades K-6, supervisors, and principals concerned with instruction in science and mathematics as well as teachers and supervisors of science or mathematics in grades 7-12 in public and non-public schools. Also teachers of science and mathematics in liberal arts colleges, teachers colleges, junior colleges, and technical institutes.

IV. **Basic Provisions:** Provides summer institutes for elementary school personnel for the purpose of supplementary training in science and mathematics. Also establishes summer and academic year institutes for secondary science and mathematics school teachers designed to strengthen their subject-matter competence.

V. **Significant Rules and Regulations:**

1. **Summer Institutes** - Elementary level participants will be selected solely on the basis of their ability to benefit from the Institute program and their capacity to develop as teachers of science or mathematics. Secondary level participants shall be any teacher currently teaching at least one full course in science or mathematics in a secondary school, or unless he also teaches in college or junior college in which case the majority of his science or mathematics must be in the high school.

2. **Academic year institutes** - To be eligible for support, science and mathematics teachers, whether secondary or college, must be presently employed teaching one or more of these subjects, must have had at least three years teaching experience.

VI. Available Publications on Program: Summer Institutes For Secondary School Teacher of Science and Mathematics; Summer Institutes for Elementary School Personnel; Academic Year Institutes for Science and Mathematics Teachers, published by National Science Foundation, Washington, D.C.

VII. Procedures in Applying for Approval:

1. Obtain list of institutes to be held at various institutions in the United States.
2. Obtain application blanks from the respective institute directors, not from the National Science Foundation.

VIII. Disbursement of Federal Funds: The Institute Director is responsible for selecting the teacher-participants and determining the exact amounts of the stipends and allowances. The maximum stipend is $75.00 per week for an individual participant. An allowance of not more than $15.00 per week is available for each dependent, up to a maximum of four. A travel allowance is calculated at not more than four cents per mile for one round trip between home and institute, with a maximum of $80.00. Reduced stipends will be offered to participants who live at home. (For academic year institutes, the maximum stipend will be $3,000 with an additional allowance of $450 per dependent, up to a maximum of four.)

IX. Matching Provisions: None, within limits of above stipend.

X. Fiscal Procedures: Stipends paid directly to individual participants upon application.

XI. Administrative Agency: National Science Foundation. Information on respective institutes available from respective institute directors.

I. **Federal Program:** Assistance to veterans, who have served on active duty after Jan. 31, 1955, for education courses.

II. **Reference to Law:** Pages 315-317; Veterans Readjustment Benefits Act of 1966.

III. **Eligible Participants:** Any veteran who served on active duty for a period of more than 180 days any part of which occurred after Jan. 31, 1955 and who was discharged or released therefrom under conditions other than dishonorable, or who was discharged from active duty after such date for a service-connected disability.

IV. **Basic Provisions:** Allowances to eligible veterans while pursuing an approved program of education.

V. **Significant Rules and Regulations:**

1. Each eligible veteran will receive assistance for one month full-time education (or equivalent thereof in part-time educational assistance) for each month, or fraction of a month, of service on active duty after Jan. 31, 1955.
2. Each eligible veteran must complete the education within 8 years after his last discharge or release from duty after Jan. 31, 1955. (Veterans Administrator may make exceptions).
3. Assistance under this act to an eligible veteran may not exceed 36 months INCLUDING time for which assistance was received under World War II or Korean GI Readjustment Act, War orphans' assistance program or the vocational rehabilitation program.
4. Active duty does not include (for purposes of this assistance) time during which an individual is assigned full-tine for educational training in a civilian institution or the "6-month active duty" time of a reservist.

VI. Available Publications on Programs: None available at time of printing.

VII. Procedures in Applying for Approval:

1. Obtain information relative to eligibility and application procedures from local VA office or nearest VA Regional Office.
2. Apply for certificate of eligibility from Regional Office of Veterans Administration.
3. Apply to educational institution. (Institution must be approved for this program).
4. Submit periodic certification of attendance from institution to nearest Regional Office of Veterans Administration.

VIII. Disbursement of Federal Funds: Arranged by Regional Office of Veterans Administration. Payments directly participants through Regional Office.

IX. Matching Provisions: Not applicable. Assistance under the Act is, generally, in form of monthly payments.

X. Administrative Agency: Local and Regional Office of the Veterans Administration.

VOCATIONAL EDUCATION
1. Salaries and Equipment (MDT)

I. **Federal Program**: Manpower Development and Training

II. **Reference to Law**: Pages 245-253; Title II Manpower Development and Training Act

III. **Eligible Participants**: Public and private schools on all levels including secondary, post-secondary, community college, and higher education facilities.

IV. **Basic Provisions**: The Act is jointly administered by the State Education Department and the State Employment Service. Practically all justifiable costs such as personnel, facility, equipment, and supplies are eligible.

V. **Significant Rules and Regulations**:

1. Funds are available for training only out-of-school youth (16-21 years of age) and adults.
2. No training is authorized until justified by local employment service offices. These offices must locate known job opportunities and potential candidates for training. This is done through a survey form identified as an MT-1.
3. This information (Form MT-1) is relayed to the State Education Department and it serves as an authorization to locate a local training facility for the conduct of the training identified in the MT-1.

VI. **Available Publications on Program**: A Guide to the Manpower Development and Training Act and Explanation of the Manpower Development and Training Act are available from the New York State Education Department.

VII. **Procedures in Applying for Approval:** Form MT-1 is transmitted to the local education authorities by the State Education Department. This becomes the basis for the development of a training plan and a budget. After the training plan and the budget are reviewed by the State Vocational Education agency and approved by the Federal agency, the local education agency is authorized to purchase equipment and to hire personnel. All State and local laws must be adhered to in the conduct of the training program.

VIII. **Disbursement of Federal Funds:** Federal funds under this program are allocated on an individual project basis and are disbursed to local educational agencies through the State Education Department. In New York State, such disbursements are made through the State Education Department's Division of Educational Finance.

IX. **Local Matching Provisions:** 100 percent Federal Funds until June 30, 1966. Thereafter 90% Federal, 10% non Federal in cash or kind.

X. **Fiscal Procedures:**

1. Federal funds are encumbered by fiscal year in the amount of project approvals based upon completed budget estimates.
2. Upon Federal approval of a project, the first advance payment may be requested through the Bureau of Manpower Development. The amount of such advance may be up to 100 percent of category 4, OE-4000 (equipment purchase items) and up to 50 percent of the remaining budgeted sums. The request must be accompanied by three completed copies of the REQUEST FOR ADVANCED PAYMENT form.
3. Upon completion of one-half of the project, a second advance payment may be requested through the Bureau of Manpower Development.

The amount of such advance may be up to 25 percent of the total budget less category 4, OE4000. Three copies of the REQUEST FOR ADVANCE PAYMENT form must be filed through the Bureau.

4. Requests for additional advance payments will be honored only in the event that approved budget changes result in a total budget increase of 15 percent or more.

5. At the close of the project, final reimbursement should be requested through the Bureau of Manpower Development. Three completed copies of Form FA-940 should be accompanied by one complete set of invoices and proof of payment for expenses eligible for reimbursement. The difference between the audited actual cost of the project and the sum of the advances made will determine the amount of the final payment.

6. The encumbrance established by Federal project approval for a given fiscal year must be liquidated within 14½ months of the close of that fiscal year in which the project closes.

7. Where training is provided under special circumstances or with private agencies by contract, funds are disbursed according to the terms of the agreement or the contract drawn.

XI. Administrative Agency: The Bureau of Manpower Development, New York State Education Department, Mr. Carl G. Benenati, Chief. (518-474-3641)

I. **Federal Program**: Vocational Education Act

II. **Reference to Law**: Pages 265-269; Vocational Education Act

III. **Eligible Participants**: Public educational agencies (secondary and post secondary) or private educational agencies and institutions under contract with the State Education Department.

IV. **Basic Provisions**: Federal grants to States to assist them to maintain, extend, and improve existing programs of occupational (vocational) education and to develop new programs of occupational (vocational) education for persons of all ages in all communities in the State in all occupations requiring less than a baccalaureate degree. Instruction will be designed to fit individuals for gainful employment in recognized occupations, including vocational or technical training or retraining.

V. **Significant Rules and Regulations**:

1. Broad occupational fields to be considered in planning programs include agriculture, business, distributive, health, home economics, trade, and Technical education or a combination of these.

2. Expenditures of funds will be approved for programs designed to serve the following:
   - (a) occupational education for persons attending high school;
   - (b) occupational education for persons who have completed or left high school and who are available for full-time study;
   - (c) occupational education for persons who have already entered the labor market and who need training to achieve stability in employment;

(d) occupational education for persons who have academic, social economic or other handicaps that prevent them from succeeding in the regular vocational program.

(e) auxiliary services and activities.

VI. Available Publications on Program: Guidelines for Developing Occupational Education Programs from the New York State Education Department, Office of the Assistant Commissioner for Occupational Education.

VII. Procedures for Applying for Approval:

1. Obtain application forms from Division of Occupational Education Supervision. These include: VIS-100 (A DESCRIPTIVE SUMMARY OF OCCUPATIONAL PROJECT) and VIS-101 (AN OCCUPATIONAL EDUCATION INSTRUCTION PLAN).
2. Applicant should also include: FA-210-2B (INDIVIDUAL OCCUPATIONAL EDUCATION PROJECT BUDGET) and FA-210-1B (BUDGET SUMMARY FOR OCCUPATIONAL EDUCATION PROJECT).
3. In assuring access to programs to all individuals, priority will be given to long-range plans developed on an area basis.

VIII. Disbursement of Federal Funds: Federal funds under the program are allocated to the State and, in turn, are disbursed to local agencies through the State Education Department, Division of Educational Finance.

IX. Local Matching Provisions: Local matching required dependant upon amount of project grant awarded by State Education Department.

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local educational agency on the basis of purchase orders issued or in the case of salaries, services provided during a July 1 - June 30 fiscal period and included in approved budget application FA-210 1-B and 2-B.

2. A fifty percent advance of total budgeted costs made to local agency at the time application is approved. A second advance payment of twenty-five percent may be requested at a later date.

3. A final reimbursement of actual costs incurred will be made at conslusion of project on form FA-210-1F and -2F. The difference between the amounts actually spent and the amount of advances made by the State will be the amount of final reimbursement.

4. An encumbrance established at the State level for a local educational agency must be liquidated by such local agency within 14½ months following the close of the fiscal year in which such encumbrance was established. For purposes of this program, an encumbrance is considered liquidated on the date the check is drawn for payment by the local agency.

XI. Administrative Agency: Division of Occupational Education Supervision, New York State Education Department.

VOCATIONAL EDUCATION
1. Salaries and Equipment
(Health)

I. Federal Program: Practical Nursing and Other Health Occupations Training.

II. Eligible Participants: Local public educational agencies.

III. Basic Provisions: Up to fifty percent reimbursement to public boards of education for approved expenditures for instructional salaries and appropriate equipment for both high school and adult pre-employment and extension programs in practical nursing and other health occupations.

IV. Significant Rules and Regulations:

1. Determine need for program in area and the availability of school facilities and adequate clinical training facilities.

2. An advisory committee should be organized to include representatives from medical, hospital, nursing and health agencies.

3. Program should maintain an average of at least twenty students per year.

V. Available Publications on Program: Guide for Evaluating Practical Nursing Programs, prepared and available from the Division of Professional Education, New York State Education Department.

VI. Procedures for Applying for Approval:

1. Local agency should contact the Division of Professional Education to request an exploratory conference to determine schools and hospital facilities available, purpose of program, need, and other related information.

2. Following conference, formal approval should be requested from Division of Professional Education to commence a program of practical nursing.

VII. Disbursement of Federal Funds: Federal funds under the program are allocated to the State and, in turn, are disbursed to the boards of education through the State Education Department, Division of Educational Finance.

VIII. Local Matching Provisions: Up to fifty percent reimbursement of Federal funds for instructional salaries and appropriate equipment.

IX. Fiscal Procedures:

1. **Federal funds paid to local agency upon completion of approval expenditures under program.**
2. **A school district should file a reimbursement claim via ANNUAL REPORT AND CLAIM FOR REIMBURSEMENT FROM FEDERAL FUNDS -- PART B.**

X. Administrative Agency: Division of Professional Education, Office of Nursing Education Department. Miss Hildegard E. Reuter, Associate. (518-474-3843)

YOUTH PROGRAMS

1. Work-Experience Programs

I. **Federal Program:** Neighborhood Youth Corps

II. **Reference to Law:** Pages 277-285; Title I-B Economic Opportunity Act

III. **Eligible Participants:** State agencies, local governmental agencies and private non-profit organizations.

IV. **Basic Provisions:** To offer work opportunities to eligible youths 16-21 years of age providing income to enable them to complete school or to increase their employability.

V. **Significant Rules and Regulations:**

1. Projects must increase the employability of young men and women involved by providing work experience, work discipline, and training in jobs in which there is a reasonable expectation of employment.
2. Work on projects must not result in the displacement of employed workers.
3. Work must be done on publicly owned and operated facilities or projects or on local projects sponsored by private non-profit organizations.
4. Projects must entail an undertaking or a service in the public interest that otherwise would not be provided; or that concerns the natural resources of the State or of recreational areas.
5. Projects must be coordinated with vocational training and educational services so that the special needs of the enrollees may be met by State or local school authorities.
6. Enrollees may not be employed on projects involving the construction, operation or maintenance of any facility used for sectarian instruction or as a place for religious worship.

VI. Available Publications on Program: Guide for Organizations Sponsoring Work-Training Projects, published by United States Department of Labor, Manpower Administration, Neighborhood Youth Corps, Washington, D.C.

VII. Procedures for Applying for Approval:

1. Sponsoring organization should prepare a PROJECT PROPOSAL-CONTRACT Basically, this form describes the type of project it wishes to undertake, the services to be provided, the qualifications and capabilities of the organization, the estimated cost of the project and other key information.
2. Three copies of the proposed contract form should be sent to the Director, Neighborhood Youth Corps, Washington, D.C.

VIII. Disbursement of Federal Funds: Direct grants are made to sponsoring organization by the Office of the Director, Neighborhood Youth Corps, Washington, D.C.

IX. Local Matching Provisions: Federal assistance shall not exceed 90% of the costs of the program. The non-Federal share may be contributed in cash or in kind.

X. Fiscal Procedures: The basic fiscal pattern consists of an advance of funds to the sponsor, followed by periodic installments in agreed-upon amounts. Sponsoring organizations are required to provide information on project expenditures and on the status of project activities as a basis for determining the amount of Government payments.

XI. Administrative Agency: Neighborhood Youth Corps, Department of Labor, Washington, D.C.

I. **Federal Program:** Work-Study Program for Vocational Students

II. **Reference to Law:** Pages 265-269;Sec. 13 Vocational Education Act

III. **Eligible Participants:** Public school districts, Boards of Cooperative Educational Services, County Vocational Education and Extension Boards, public junior or community colleges or other public colleges in which student is not pursuing baccalaureate degree.

IV. **Basic Provisions:** To provide part-time employment for students who need the earnings from such employment to commence, continue or to return to an approved vocational education program on a full-time basis.

V. **Significant Rules and Regulations:**

1. Employment to be furnished to full-time vocational education students who are at least 15 years of age and less than 21 years of age, and who in the opinion of appropriate school authorities are in need of earnings.
2. Maximum of 15 hours in any week when classes in which student is enrolled are in session. A maximum of $45 in any month or $350 in any academic year, unless students are attending a school which is not within reasonable commuting distance from their home, in which case the compensation may not exceed $60 in any month or $500 in any academic year.
3. Employment must be in a public agency or institution either Federal, State, or local.
4. The total hours of school and work by students should not exceed the number of hours permissible under State law for the particular age group involved.

5. Provision should be made for a work permit where such is required by law.
6. Provisions should be made to insure that no work will be done which would eliminate or replace a full time employee.
7. The students shall be under adult supervision while on the assigned job.
8. Job placement should utilize wherever and whenever possible the students' abilities and interests and vocational education goals to the greatest extent possible.
9. An acceptable wage established by sponsoring agency shall be paid for the time a student is permitted to work, or is required to be available for work at a place prescribed by the employer. The Minimum Wage Law Does Not Apply To This Program.
10. Workmen's Compensation Insurance of sponsoring agencies should cover students while at work.
11. Social Security deductions (if required) should be in accordance with the agreement made between the local educational agency and the State Social Security Agency.

VI. Available Publications on Programs: Summary and Suggested Development of Work-Study Program for Vocational Education - prepared by New York State Education Department, Revised, July 1966.

VII. Procedures in Applying for Approval:

1. Request approval of Work-Study Program proposal - Form to be used: WSP-1 APPLICATION FOR APPROVAL OF A WORK-STUDY PROGRAM
2. State administrative agency establishes priority of local program according to available criteria pertinent to drop-out and unemployment factors.

3. Notification of approval made to local educational agency by State administrative agency.

VIII. Disbursement of Federal Funds: Federal funds under this program are allocated to the individual States on a fiscal year basis and, in turn, are disbursed to the local educational agencies through the State Education Department. In New York State, such disbursements are made through the Education Department's Division of Educational Finance.

IX. Local Matching Provisions: 100% Federal

X. Fiscal Procedures:

1. An encumbrance of funds is established for each local educational agency on the basis of student employment during such fiscal period.
2. The encumbrance amount so established at the State level is based upon total budgeted costs identified in form WSP-1 APPLICATION FOR APPROVAL OF A WORK-STUDY PROGRAM.
3. A 50% advance payment of total budgeted costs is made to local agency at the time WSP-1 is approved. Request for advance is made via form WSP-2 REQUEST FOR ADVANCE PAYMENT. A second advance payment of 25% may be requested on such form at the time a program is more than half completed.
4. A final reimbursement of actual costs incurred will be made at the conclusion of the project on Form FA-210 (WSP-4). The difference between the audited actual cost and the amount of advances made by the State will determine the amount of final reimbursement.
5. "An encumbrance established at the State level for a local educational agency should be liquidated by such local agency within 60 days following the expiration of a Work-Study Program. For purposes of this program, an encumbrance is considered liquidated on the date the check is drawn for payment by the local agency."

XI. __Administrative Agency__: **Unit on Work-Study Program, New York State Education Department. Dr. Louis A. Cohen, Supervisor, (518-474-2619)**

V. BOOK TWO

FEDERAL EDUCATION ACTS

Suggested Limitations in Use of Part Two

The presentation of Federal legislation which follows should be reviewed with the following limitations in mind:

1. The individual acts presented are not verbatim copies of the authorized legislation. While they incorporate the latest congressional amendments, many sections of the parent legislation have been omitted in whole or in part. Also in several instances, the original wordings have been paraphrased for purpose of brevity.
2. While much of the parent legislation has been retained in the following presentation, the local school administrator is cautioned to refer to the original legislation or to the State Education Department before attempting an interpretation of the various sections. Much of the pertinent content has been retained for the primary purpose of generating intelligent inquiries relative to Federal Aid programs.
3. The legal citations used in this part have been left incomplete. The public numbers cited refer to the original enactment only, as do the dates of approval. No attempt has been made to cite all relevant amendments which have been incorporated into the presentation. Should a local administrator wish to obtain a copy of the latest Federal legislation as amended, it is only necessary to refer to the original public numbers followed by the term "as amended".

FEDERAL EDUCATION ACTS

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88-164	Mental Retardation Facilities and Community Mental Health Centers Construction Act	261
88-204	Higher Education Facilities Act	263-264
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88-269	Library Services and Construction Act	271-274
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FEDERAL EDUCATION ACTS

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89-358	Veterans Readjustment Benefits Act of 1966	315-317
89-642	Child Nutrition Act of 1966	319-320
89-750	Adult Education Act of 1966	321-323
89-754	Demonstration Cities and Metropolitan Development Act of 1966	325-327

Smith-Hughes Act
(Public No. 347, 64th Congress)
Approved, February 23, 1917

Full Title

An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditures.

Subject Areas Covered

Sec. 1 Provides funds for salaries of teachers, supervisors, and directors of agricultural subjects, and teachers of trade, home economics, and industrial subjects and for the preparation of teachers of agricultural, trade, industrial and home economics subjects.

Basis of State Allocation (Agricultural)

Sec. 2 For the purpose of cooperating with the States in paying the salaries of teachers, supervisors, or directors of agricultural subjects funds are allocated to the States in the proportion which their rural population bears to the total rural population of the United States.

Basis of State Allocation (trade, home economics & industrial)

Sec. 3 For the purpose of cooperating with the States in paying the salaries of teachers of trade, home economics, and industrial subjects funds are allocated to the States in the proportion which their urban population bears to the total urban population of the United States.

Ceiling on State Allocation (home economics)

Not more than twenty per centum of the money appropriated under this Act for the payment of salaries of teachers of trade, home economics, and industrial subjects, for any year, shall be expended for the salaries of teachers of home economics subjects.

Basis of State Allocation (teacher preparation)

Sec. 4 For the purpose of cooperating with the States in preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects, funds are allocated to the States in the proportion which their population bears to the total population of the United States.

Basis of Matching

Sec. 9 The moneys expended under the provisions of this Act shall be conditioned that for each dollar of Federal money expended for such purposes the State or local community, or both, shall expend an equal amount for such purposes.

Conditions of Program (Agricultural)

Sec. 10 In order to receive the benefits of the appropriations for the salaries of teachers, supervisors, or directors of agricultural subjects that such education be under public supervision or control; that the controlling purpose shall be to fit for useful employment; be of less than college grade and designed to meet the needs of persons over fourteen years of age entering any occupation involving knowledge and skill in agriculture, whether or not such work involves work of the farm or the farm home.

Conditions of Programs (trade, home economics, industrial)

Sec. 11 In order to receive the benefits of the appropration for the salaries of teachers of trade, home economics, and industrial subjects that such education be under public supervision or control; that the controlling purpose shall be to fit for useful employment; be of less than college grade and shall be designed to meet the needs of persons over fourteen years of age who are preparing for a trade or industrial pursuit; that such schools or classes giving instruction to persons who have not entered upon employment shall require such instruction to extend over not less than nine months per year and not less than thirty hours per week; that at least one third of the sum appropriated for salaries of teachers of trade, home economics and industrial subjects shall be applied to part-time schools or classes for workers over fourteen years of age who have entered employment, and such subjects in a part-time school or class may mean any subject given to enlarge the civic or vocational intelligence of such workers over fourteen and less than eighteen years of age; that such part-time schools or classes shall provide not less than 144 hours of classroom instruction per year; that evening industrial schools shall fix sixteen years as a minimum entrance requirement and shall confine instruction to supplement the daily employment.

Sec. 17 No portion of any moneys appropriated under this Act shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of lands, or for the support of any religious or publicly owned or conducted school or college.

National School Lunch Act
(Public No.396, 79th Congress)
Approved June 4, 1946

Full Title

An act to provide assistance to the States in the establishment, maintenance, operation, and expansion of school lunch programs, and for other purposes.

Purpose of Act

Sec. 2 To assist the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

Basis of State Allocation

Sec. 4 Apportionment among the States (except for purposes under Sec. 5) shall be made on the basis of two factors: (1) the participation rate for the State, and (2) the assistance need rate for the State. The amount of apportionment to any State shall be determined by the following methods: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and third, apply the figure thus obtained to the total funds to be apportioned.

Nonfood Assistance State Allocation

Sec. 5 For the purpose of providing nonfood assistance for the school-lunch program pursuant to the provisions of this act, the apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods.

Basis of Matching

Sec. 7 Funds apportioned to any State pursuant to section 4 or 5 shall be available for the purpose of assisting schools of that State in supplying (1) agricultural commodities and other foods for consumption by children and (2) nonfood assistance in furtherance of the school-lunch program. Such payments shall be made upon condition that each dollar will be so matched by $3. In the case of any State whose per capita income is less than the per capita income of the United States, that matching required shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For purposes of matching, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency, and in the case of schools receiving funds pursuant to section 10, by such schools (but not the cost or value of land or buildings), may be regarded as funds from sources within the State expended in connection with the school-lunch program.

Disbursement to Schools

Sec. 8 Disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof.

Program Requirements

Sec. 9 Lunches served shall meet minimum nutritional requirements. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs shall be operated on a non-profit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary of Agriculture as being in abundance or commodities donated by the Secretary.

Nonprofit Private Schools

Sec. 10 If, in any State, the State educational agency is not permitted by law to disburse the funds under this Act to nonprofit private schools in the State, an amount shall be withheld for such purposes from the State funds which bears the same ratio to such funds as the number of lunches served in the preceding fiscal year by all nonprofit private schools participating in the program within the State bears to the participation rate for the State. The Secretary of Agriculture shall disburse such funds directly.

Special Assistance

Sec. 11(a) A separate allotment is hereby authorized to provide special assistance to schools drawing attendance from areas in which poor economic conditions exist, for the purpose of helping schools to meet the requirements of section 9 of this act.

Basis of State Allocation for Special Assistance

Sec. 11(c) Not less than 50 per centum shall be apportioned among States on the basis of the following factors for each State: (1) the number of free or reduced-price lunches served in accordance with section 9 in the preceding fiscal year, and (2) the assistance need rate. These factors shall be applied in the following manner: First, determine an index for each State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all such States; and third, apply the figures thus obtained to the total funds to be apportioned.

Selection of Schools for Special Assistance

Sec. 11(e) Funds paid to any State pursuant to this section shall be disbursed to selected schools in such State to assist such schools in the purchase of agricultural commodities and other foods. The selection of schools and the amount of funds that each shall receive shall be determined by the State on the basis of the following factors: (1) the economic condition of the area from which such schools draw attendance; (2) the needs of pupils in such schools for free or reduced-price lunches; (3) the percentages of free or reduced-price lunches being served in such schools; (4) the prevailing price of lunches in such schools as compared with the average prevailing price of lunches served in the State; and (5) the need of such schools for additional assistance as reflected by the financial position of the school-lunch programs in such schools.

Matching Provision for Special Assistance

Sec. 11(g) In carrying out this section, the terms and conditions governing the operation of the school-lunch program set forth in other sections of this Act excluding the provisions of section 7 relating to matching, shall be applicable.

Sec. 12(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school.

Federal Interference

Sec. 12(d) For purposes of this Act

Definition of Terms

(3) 'Nonprofit private school' means any private school exempt from income tax under section 501(e)(3) of the Internal Revenue Code of 1954.

(4) 'Nonfood assistance' means equipment used by schools in storing, preparing, or serving food for school children.

(5) 'Participation rate' for a State means a number equal to the number of lunches, consisting of a combination of foods and meeting the minimum requirements under section 9, served in the preceding fiscal year by schools participating in the program under this Act in the State, as determined by the Secretary.

(6) 'Assistance need rate' (A) in the case of any State having an average annual per capita income equal to or greater than the average annual per capita income for all States, shall be 5; and (B) in the case of any State having an average annual per capita income less than the average annual per capita income for all the States, shall be the product of 5 and the quotient obtained by dividing the average annual per capita income for all the States by the average annual per capita income for such State, except that such product may not exceed 9 for any such State.

(7) 'School' means any public or nonprofit private school of high school grade or under.

George-Barden Act
(Public No. 586, 79th Congress)
Approved June 8, 1946

Full Title

An act to provide for the further development of vocational education in the several States and Territories.

TITLE I

TITLE I

Subject Areas Covered

Title I - Vocational Education in agriculture, home economics, trades and industry and distributive occupations.

Sec. 3(a) For the purpose of assisting the several States and Territories in the further development of vocational education, there is authorized to be appropriated --

(Agriculture)

(1) For agriculture, including supervision by the vocational agriculture teachers of the activities, related to vocational education in agriculture, of the Future Farmers of America and the New Farmers of America, an amount to be apportioned for expenditure in the several States and Territories in the proportion that their farm population bears to the total farm population of the States and Territories.

(Home Economics)

(2) For home economics, an amount to be apportioned in the proportion that their rural population bears to the total rural population of the States and Territories.

(Trades and Industry)

(3) For trades and industry, an amount to be apportioned in the proportion that their nonfarm population bears to the total nonfarm population of the States and Territories.

(Distributive Education)

(4) For distributive occupations, an amount to be apportioned in the proportion that their total population bears to the total population of the States and Territories.

(Fishery Trades)

(5) For fishery trades and industry and distributive occupations therein, an amount to be apportioned on an equitable basis in the determination of which there is taken into account the extent of the fishing industry of each State and Territory as compared with the total fishing industry.

Types of Approvable Expenditures

Sec. 3(b) The funds appropriated under the authority of subsection (a) of this section may be used in the maintenance of adequate programs of administration, supervision, and teacher-training; for salaries and necessary travel expenses of teachers, teacher-trainers, vocational counselors, supervisors and directors of vocational education and vocational guidance; for securing necessary educational information and data as a basis for the proper development of programs of vocational education and vocational guidance; for training and work-experience training programs for out-of-school youths; for training programs for apprentices; for purchase or rent of equipment and supplies for vocational instruction.

Basis of Matching

Sec. 4 The several States and Territories, in order to receive the benefits of this title, shall be required to match by State and local funds or both 100 per centum of the appropriations.

Conditions and Limitations of Appropriations

Sec. 7 The appropriations made under this title shall be subject to the same conditions and limitations as those under the Smith-Hughes Act except that: (1) the appropriations for home economics shall be subject to the limitations for agricultural purposes under the Smith-Hughes Act; (2) the moneys for trade and industrial subjects, and public and other service occupations, may be expended for part-time classes operated less than 144 hours per year; (3) the provisions of section 11 of the Smith-Hughes Act, requiring at least one-third of the sum appropriated to any State to be expended for part-time schools or classes shall be held to include any part-time day-school classes for workers sixteen years of age and over, and evening-school classes for workers sixteen years of age and over; (5) preemployment schools and classes for persons over eighteen may be operated for less than nine months per year and less than thirty hours per week.

Restrictions and Conditions

Sec. 8 No funds may be expended in industrial-plant training programs except for bona fide vocational training, and not more than 10 per centum of the amounts appropriated for each of the purposes in section 3(a) shall be used for the purchase or acquisition of equipment.

TITLE II

TITLE II

Approved August 2, 1956. Amends George-Barden Act under Public Law 911-84th Congress.

Title II. Vocational education in practical nurse training.

Basis of State Allocation

Sec. 202(a) From the sums appropriated for any fiscal year under this title, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the total of the amounts apportioned under Title I, and the Act of March 18, 1950 (20 U.S.C. 31-33), and the Act of August 1, 1956 (20 U.S.C. 34), to such State for such year bears to the total of the amounts so apportioned to all the States for such year. The allotment to any State under the preceding sentence for a fiscal year which is less than $10,000 shall be increased to that amount.

Basis of Matching

Sec. 202(c) To the extent permitted, the portion of the cost of carrying out the State plan paid under this section shall be 50 per centum of such cost.

State Plan (Provisions)

Sec. 203 A State plan for practical nurse training shall:

(1) designate the State board as the sole agency for the administration of the plan;
(3) show the plans, policies, and methods to be followed in providing practical nurse training;
(4) contain minimum qualifications for teachers, teacher-trainers, supervisors and directors.

Definition of Practical Nurse Training

Sec. 210(b) The term "practical nurse training" means training of less than college grade which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control and is conducted as part of a program designed to fit individuals engaged in or preparing to engage in employment as practical nurses. The term also includes training of a similar nature designed to fit individuals engaged or preparing to engage in other health occupations in hospitals or other health agencies. In addition, the term includes vocational guidance in connection with any such program and the inservice training of teachers, teacher-trainers, supervisors, and directors for any such program, but does not include courses which have only incidental relationship to the specialized training needed.

Practical Nurse Defined

Sec. 210(c) The term "practical nurse" means a person who is trained to care for subacute, convalescent, and chronic patients under the direction of a licensed physician or under the supervision of a registered nurse, or to assist a registered nurse in the care of acute illness.

Local Educational Agency Defined

Sec. 210(d) The term "local educational agency" means a board of education or other legally constituted school authority having administrative control and direction of public secondary schools, or having such control and direction over vocational education in such schools.

Non-allowable Costs

Sec. 210(g) The cost of administration of a State plan for practical nurse training may not include any portion of the cost of the purchase, preservation, erection, or repair of any building or buildings or the purchase or rental of any land.

TITLE III

TITLE III

Approved September 2, 1958. Amends George-Barden
Act under Public Law 864-85th Congress.
(National Defense Education Act - Title VIII)

Title III - Area Vocational Education Programs

Basis of State Allocation

Sec. 302(a) From the sums appropriated for any fiscal year pursuant to this title, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the total of the amounts apportioned under Title I of this Act, the Act of March 18, 1950 (20 U.S.C. 31-33), and section 9 of the Act of August 1, 1956 (20 U.S.C. 34), to such State for such year bears to the total of the amounts so apportioned to all the States for such year.

Basis of Matching

Sec. 303(a) Any amount paid to a State from its allotment under Section 302 shall be paid on condition:

(1) that there shall be spent an equal amount in State or local funds, or both, for area vocational education programs operated under the provisions of this title;

Maintenance of Effort

(2) that funds appropriated will not be used to reduce the amount of State or local funds, or both, being spent under the Smith-Hughes Act and Titles I and II of this Act;

(3) that funds appropriated shall be used exclusively for the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring scientific knowledge in fields necessary for the national defense.

Allowable Expenditures

Sec. 304(a) Funds may be used in carrying out such programs for:

(1) maintenance of adequate programs of administration, supervision, and teacher-training;
(2) salaries and necessary travel expenses of State or local school personnel;
(4) purchase, rental, or other acquisition, and maintenance and repair, of instructional equipment;
(5) purchase of instructional supplies and teaching aids;
(6) necessary costs of transportation of students;
(7) securing necessary educational information and data as a basis for development of area vocational education programs and programs of vocational guidance;
(8) training and work-experience training programs for out-of-school youths;
(9) related instruction for apprentices; and
(10) determining the need for area vocational programs.

Ownership of Equipment

Sec. 304(b) Any equipment and teaching aids purchased shall become the property of the State.

Definition of Area Vocational Program

Sec. 307(d) The term "area vocational education program" means a program consisting of one or more less-than-college-grade courses conducted under public supervision and control and on an organized, systematic class basis, which is designed to fit individuals for useful employment as technicians or skilled workers in recognized occupations requiring scientific or technical knowledge and is made available to residents who either have completed junior high school or, regardless, are at least sixteen years of age and can reasonably be expected to profit by the instruction offered.

Federal Property and Administrative Services Act
(Public No. 152, 81st Congress)
Approved June 30, 1949

An act to simplify the procurement, utilization, and disposal of Government property, to reorganize certain agencies of the Government, and for other purposes.

Full Title

Sec. 2 It is the intent of the Congress in enacting this legislation to provide for the Government an esonomical and efficient system for
(c) the disposal of surplus property.

Intent of Legislation

Sec. 3 As used in this act:

(d) the term "property" means any interest in property of any kind except (1) the public domain and lands reserved or dedicated for national forest or national park purposes; (2) naval vessels; and (3) records of the Federal Government.

(e) the term "excess property" means any property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head thereof.

(g) the term "surplus property" means any excess property not required for the needs and discharge of the responsibilities of all Federal agencies, as determined by the Administrator of General Services.

TITLE II

TITLE II

Sec. 203(a) The Administrator of General Services shall have supervision and direction over the disposition of surplus property. Such property shall be disposed of to such extent, at such time, in such areas, by such agencies, at such terms and conditions, and in such manner, as may be prescribed in or pursuant to this act.

Disposal of Surplus Property

Sec. 203(j)(1) Under such regulations as he may prescribe, the Administrator of General Services is authorized in his discretion to donate without cost (except for costs of care and handling) for use in any State for purposes of education, public health, or civil defense, or for research for any such purpose, any equipment, materials, books, or other supplies under the control of any executive agency as shall have been determined to be surplus property and which shall have been determined to be usable and necessary for any such purpose. No such property shall be transferred for use within any State except to the State agency designated under State law for the purpose of distributing all property allocated.

To Educational Agencies

Sec. 203(j)(2) In the case of surplus property under the control of the Department of Defense, the Secretary of Defense shall determine whether such property is usable and necessary for educational activities which are of special interest to the armed services. If such Secretary shall determine that such property is usable and necessary for such purposes, he shall allocate it for transfer by the Administrator of General Services to the appropriate State agency for distribution to such educational activities.

Military Surplus Property

etermination f Usability of Property nd Eligible Agencies

Sec. 203(j)(3) Determination whether such surplus property is usable and necessary for purposes of education or public health, or for research for any such purpose, in any State shall be made by the U.S. Secretary of Health, Education, and Welfare, who shall allocate such property on the basis of needs and utilization for transfer by the Administrator of General Services to such State agency for distribution to (A) Tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, and educational radio and educational television stations, (B) other nonprofit medical institutions, hospitals, clinics, health centers, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, and educational radio and educational television stations, and (C) public libraries. No such property shall be transferred to any State agency until the U.S. Secretary of Health, Education, and Welfare has received a certification that such property is usable and needed for educational or public health purposes in the State.

Civil Defense

Sec. 203(j)(4) Determination whether such surplus property is usable and necessary for civil defense purposes, including research, in any State shall be made by the President, who shall allocate such property on the basis of need and utilization for transfer by the Administrator of General Services to such State agency for distribution to civil defense organizations of such State.

Disposal of Real Property

Sec. 203(k)(1) Under such regulations as he may prescribe, the Administrator of General Services is authorized, in his discretion, to assign to the U.S. Secretary of Health, Education, and Welfare for disposal such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Department of Health, Education, and Welfare as being needed for school, classroom, or other educational use, or for use in the protection of public health, including research.

National Science Foundation Act
(Public No. 507-81st Congress)
Approved May 10, 1950

An act to establish a National Science Foundation.

Full Title

Sec. 1861 There is established in the executive branch of the Government an independent agency to be known as the National Science Foundation.

Sec. 1862 The Foundation is authorized and directed

Functions

(1) to develop and encourage the pursuit of a national policy for the promotion of basic research and education in the sciences;
(2) to initiate and support basic scientific research and programs;
(4) to award scholarships and graduate fellowships in the mathematical, physical, medical, biological, engineering and other sciences.

Sec. 1869 The foundation is authorized to award scholarships and graduate fellowships for scientific study or scientific work in the mathematical, physical, medical, biological, engineering or other sciences at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens or nationals of the United States, and such selections shall be made solely on the basis of ability.

Scholarships and Graduate Fellowships

Federally Affected Areas-School Construction Aid
(Public No. 815, 81st Congress)
Approved September 23, 1950

Full Title

An act relating to the construction of school facilities in areas affected by Federal activities, and for other purposes.

Purpose of Act

Sec. 1 The purpose of this act is to provide assistance for the construction of urgently needed minimum school facilities in school districts which have had substantial increases in school membership as a result of new or increased Federal activities.

Establishment of Priorities

Sec. 3 The U.S. Commissioner of Education shall from time to time set dates by which application must be filed, except that the last such date with respect to applications for payments on account of children referred to in paragraphs (2) or (3) of section 5(a) shall not be later than June 30, 1967. The Commissioner shall by regulations prescribe an order of priority, based on relative urgency of need, to be followed in approving applications.

Federal Share of Project

Sec. 4 Subject to section 5, the Federal share of a project shall be equal to the cost of constructing minimum school facilities for the estimated number of children who will be in the membership of the schools of such agency at the close of the second year following the increase period and who will be otherwise without such facilities at such time.

Limitation on Federal Payments for Project

Sec. 5(a) The total payments to a local educational agency may not exceed the sum of the following:

(1) the estimated increase, since the base year, in the number of children residing on Federal property, (A) who so resided with a parent employed on Federal property, or (B) who had a parent who was on active duty, in the uniformed services (as defined in Section 102 of the Career Compensation Act of 1949), multiplied by 95 per centum of the average per pupil cost of constructing minimum school facilities in the State;

(2) the estimated increase, since the base year, in the number of children (A) residing on Federal property, or (B) residing with a parent employed on Federal property, or (C) who had a parent who was on active duty in the uniformed services, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State;

(3) the estimated increase, since the base year, in the number of children whose membership results directly from the activities of the United States multiplied by 45 per centum of the average per pupil cost of constructing minimum school facilities in the State; and

(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from

land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the States in which the school district of such agency is situated.

Sec. 5(b) If two or more of the paragraphs of subsection (a) apply to a child, the local educational agency shall elect which shall apply.

Minimum Requirement for Qualification

Sec. 5(c) A local educational agency will not be eligible unless the increase in federally connected children is at least twenty and is equal to at least 6 per centum in the case of paragraph (1) and (2), and 10 per centum in the case of paragraph (3), of the number of all children who were in the daily average membership of the schools of such agency during the base year, and unless, in the case of paragraph (3), the construction of additional minimum school facilities for the number of children in such increase will impose an undue financial burden on the taxing and borrowing authority of such agency.

Reduction of Eligibility Count

Sec. 5(f) If (1) the estimated number of nonfederally connected children who will be in membership at the close of the increase period is less than (2) 106 per centum of the number of such children who were in the average daily membership during the base year, the total number of children counted for purposes of subsection (a) with respect to such agency shall be reduced by the difference between (1) and (2) hereof.

Applications

Sec. 6(a) No payment may be made to any local educational agency except upon application therefor which is submitted through the appropriate State educational agency and is filed with the U.S. Commissioner in accordance with prescribed regulations.

Sec. 6(b) Each application shall contain or be supported by

(A) a description of the project and the site therefor, and preliminary drawings;
(B) assurance that such agency has or will have title to the site, or the right to construct upon such site and maintain school facilities thereupon for a period of not less than twenty years;
(C) assurance that such agency has legal authority to undertake construction and that adequate funds to defrey any non-Federal share will be available when needed;
(D) assurance that work will commence on project within a reasonable period of time;
(E) assurance that rate of pay for laborers and mechanics engaged in construction will not be less than the prevailing local rates;
(F) assurance that the school facilities of such agency will be available to the children for whose education contributions are provided in this act on the same terms as they are available to other children in such district.

Payments

Sec. 7(a) Upon approving the application of any local educational agency, the U.S. Commissioner of Education shall pay an amount equal to 10 per centum of the Federal share of the cost of the project. After final drawings and specifications have been approved by the Commissioner of Education and the construction contract has been entered into, the Commissioner shall, in such installments as may be reasonable, pay to the agency the remainder of the Federal share of the cost of the project.

Repayment

Sec. 7(b) Any funds paid to a local educational agency under this act and not expended for the purposes for which paid shall be repaid to the Treasurer of the United States.

Additional Payments

Sec. 8 Not to exceed 10 per centum of the sums appropriated pursuant to this act for any fiscal year may be used by the U.S. Commissioner to make grants to local educational agencies where (1) the applications of such agencies would be approved but for the agencies' inability to finance the non-Federal share of the cost, or (2) the projects covered could not, without such grant, be completed, because of flood, fire, or similar emergency. Such grants shall be in addition to payments otherwise provided under this Act.

Federal Activities Considered to be Temporary

Sec. 9 Whenever the U.S. Commissioner determines that the membership of some or all of the children included under section 5 will be of a temporary nature only, such membership shall not be counted in the maximum. Instead the Commissioner may make available to such agency such temporary school facilities as may be necessary to take care of such membership, or he may pay to such agency for use in constructing school facilities an amount equal to the amount to be necessary to make available such temporary facilities.

Children Whom Local Agencies are Unable to Educate

Sec. 10(a) In the case of children who it is estimated will reside on Federal property at the end of the next fiscal year

(1) if no tax revenues of the State or local agency may be expended for the free public education of such children; or

(2) if no local educational agency is able to provide suitable free public education for such children,

the U.S. Commissioner shall make arrangements for constructing or otherwise providing minimum school facilities necessary for the education of such children. Such arrangements may also be made to provide, on a temporary basis, minimum school facilities for children of members of the Armed Forces on active duty.

Sec. 10(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of the Act.

Sec. 10(c) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of this Act.

Prohibition of Federal Interference

Sec. 12(a) No department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system of any local educational agency.

Definitions

Sec. 15 For the purposes of this act -

(1) "Federal property" means real property which is owned by the United States or is leased by the United States. Such term does not include (A) any real property used for a labor supply center, labor home, or labor camp for migratory farm workers, (B) any real property under the jurisdiction of the Post Office Department and used primarily for the provision of postal services.

(3) "Parent" includes a legal guardian or other person standing in loco parentis.

(5) The membership of schools shall be determined in accordance with State law or, in the absence of State law governing such a determination, in accordance with regulations of the U.S. Commissioner; except that, notwithstanding any provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the membership of such child, shall be held and considered

   (A) if the two local educational agencies concerned so agree, and if such agreement is approved by the Commissioner, as membership of a school of the local educational agency receiving such tuition payment;

   (B) in the absence of any such approved agreement, as membership of a school of the local educational agency so making or contracting to make such tuition payment.

In any determination of membership of schools, children who are not provided free public education shall not be counted.

(6) The average per pupil cost of constructing minimum school facilities in the State in which the school district of a local educational agency is situated shall be determined by the U.S. Commissioner of Education on the basis of the contract cost per square foot under contracts for the construction of school facilities entered into in the State for the second year of the four year increase period designated in the application, increased by a percentage estimated by the Commissioner to represent additional costs for site improvements, equipment, and architectural, engineering and legal

fees, and multiplied by a factor estimated by the Commissioner to represent the area needed per pupil in minimum school facilities.

(9) The term "school facilities" includes classrooms and related facilities; and initial equipment, machinery, and utilities necessary or appropriate for school purposes. Such term does not include athletic stadiums, or structures or facilities intended primarily for athletic exhibitions, contests, or games.

(11) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education.

(15) The term "base year" means the regular school year preceding the four year increase period in which an application was filed under this Act. (Usually 1962-63 for 1967 application.)

(16) The term "increased period" means the period of four consecutive regular school years immediately following such base year.

Assistance in Major Disaster Areas

Sec. 16(a) If the Director of the Office of Emergency Planning determines with respect to any local educational agency that --

(1)(A) such agency is located in whole or in part within an area which has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the U.S. President, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government, and

(B) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purpose with respect to such catastrophe,

and if the U.S. Commissioner determines with respect to such local educational agency that --

(2) public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of this major disaster;

(3) such agency is making a reasonable tax effort;

(4) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance of such school facilities, to provide the minimum school facilities needed for the restoration or replacement of the school facilities so destroyed or seriously damaged; and

(5) to the extent that the operation of private elementary and secondary schools in the school attendance areas of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(3) of Public Law 874 with respect

to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate,

the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts as the Commissioner may consider to be in the public interest.

Application Requirements

Sec. 16(c) No payment may be made to any local educational agency under subsection (a) except upon application therefor which is submitted through the State educational agency and filed in accordance with regulations, and which meets the requirements of section 6(b)(1).

Non-applying Provisions

Sec. 16(e) None of the provisions of section 1 to 10, both inclusive, other than section 6(b)(1), shall apply with respect to this section.

Special Base Closing Provision

Sec. 17 In determining the payment to be made to a local educational agency under this Act the Commissioner shall disregard the announcement, made November 19, 1964, of a decrease in or cessation of Federal activities in certain areas, and shall carry out such Act as if such announcement had not been made.

Federally Affected Areas-Operating Aid
(Public No. 874, 81st Congress)
Approved September 30, 1950

Full Title

An act to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes.

TITLE I
FINANCIAL ASSISTANCE IN AREAS AFFECTED BY FEDERAL ACTIVITIES

TITLE I

Purpose of Title

Sec. 1 The Congress hereby declares it to be the policy of the United States to provide financial assistance for those local educational agencies upon which the United States has placed financial burdens by reason of the fact that

(1) the revenues available to such agencies from local sources have been reduced as the result of the acquisition of real property by the United States; or
(2) such agencies provide education for children residing on Federal property; or
(3) such agencies provide education for children whose parents are employed on Federal property; or
(4) there has been a sudden and substantial increase in school attendance as the result of Federal activities.

Federal Acquisition of Real Property (Basis of Qualification)

Sec. 2(a) Where it is determined that

(1) the United States owns Federal property in the school district which (A) has been acquired since 1938, (B) was not acquired by exchange for other Federal property in the school district which the United States owned before 1939, and (C) had an assessed value (determined as of the time acquired) aggregating 10 per centum or more of the assessed value of all real property in the school district (similarly determined as of the time acquired); and
(2) that such acquisition has placed a substantial and continuing financial burden on such agency; and
(3) that such agency is not being substantially compensated for the loss of revenue resulting from such acquisition,

then the local educational agency shall be entitled to receive such amount as is equal to the continuing Federal responsibility for the additional financial burden with respect to current expenditures placed on such agency by such acquisition of property, to the extent such agency is not compensated for such burden by other Federal payments.

Definition

Sec. 2(b) For the purposes of this section

(1) The term "other Federal payments" means payments in lieu of taxes, and any other payments, made with respect to Federal property; and property taxes paid with respect to Federal property.

Reside And
ork on Fed-
ral Property

Sec. 3(a) For the purpose of computing entitlement under this section, the U.S. Commissioner of Education shall determine the number of children who were in average daily attendance, and for whom the local agency provided free public education and who, while in attendance, resided on Federal property and (1) did so with a parent employed on Federal property situated in whole or in part in the same State as the school district or situated within reasonable commuting distance from the school district, or (2) had a parent who was on active duty in the uniformed services.

Reside or
Work on
Federal
Property

Sec. 3(b) For the purpose of computing entitlement under this section for any fiscal year, the U.S. Commissioner of Education shall also determine the number of children (other than children to whom subsection (a) applies) who were in average daily attendance, and for whom such agency provided free public education and who, while in attendance, either (1) resided on Federal property, or (2) resided with a parent employed on Federal property situated in whole or in part in the same State as such agency or situated within reasonable commuting distance from the school district, or (3) had a parent who was on active duty in the uniformed services.

Computation
of
Entitlement

Sec. 3(c)(1) The amount of entitlement under this section for any fiscal year shall be an amount equal to (A) the local contribution rate multiplied by (B) the sum of the number of children determined under subsection (a) and one-half of the children under subsection (b).

Minimum
Qualifi-
cations

Sec. 3(c)(2) No local educational agency shall be entitled to receive any payment for a fiscal year with respect to a number of children determined under subsection (a) or subsection (b) unless the number of children who were in average daily attendance during such year and to whom such subsection applies

(A) is ten or more; and

Taper
Provision

(B) amount to whichever is the lesser, four hundred such children, or a number of children equal to 3 per centum or more of the total number of children who were in average daily attendance and for whom such agency provided free public education, except that such 3 per centum requirement need not be met for any period of two fiscal years which follows a fiscal year during which such requirement was met, but the payment for the second fiscal year of any such two-year period during which such requirement is not met, shall be reduced by 50 per centum of the amount thereof.

Districts
With Over
Fifty
Percent
Eligibility

Sec. 3(c)(4) If

(A) the amount computed under paragraph (1), together with other funds available to agency (excluding funds available under Title II), is less than the amount necessary to enable such agency to provide a level of education equivalent to that maintained in the school districts of the State which are comparable to such district;

(B) such district in making a reasonable tax effort;

(C) not less than 50 per centum of the total number of children who were free public education, resided on Federal property;

the U.S. Commissioner of Education may increase the amount computed under paragraph (1) to the extent necessary to enable such district to provide a comparable level of education.

Local Contribution Rate

Sec. 3(d) The local contribution rate for a local educational agency shall be computed in the following manner:

(1) place each school district within the State into a group of generally comparable school districts; and

(2) divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which making the computation, which all of the local educational agencies within any such group made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal

The local contribution rate shall be an amount equal to the quotient obtained under clause (2) of the subsection. In no event shall the local contribution rate for any local educational agency in the State for any fiscal year be less than (i) 50 per centum of the average per pupil expenditure in such State or (ii) 50 per centum of the average per pupil expenditure in the United States, but not to exceed the average per pupil expenditure in the State

Average per pupil Expenditure Defined

The "average per pupil expenditure" in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, or in the United States, as the case may be, plus any direct current expenditure by the States for the operation of such agencies divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during the preceding fiscal year.

Deduction of Other Federal Funds

Sec. 3(e) In determining the total amount which a local educational agency is entitled to receive under this section, the U.S. Commissioner shall deduct (1) such amounts as he determined such agency derived from other Federal payments (as defined) to the extent the payments are made with respect to property on which children counted for purposes of this section live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal government during such year.

Adjustment Due to Decrease In Federal Activities

Sec. 3(f) Whenever the U.S. Commissioner determines that

(1) a local educational agency has made preparations to provide free public education for a certain number of children to whom subsection (a) or (b) applies;

(2) such preparations were in his judgement reasonable in the light of the information available to such agency at the time, and

(3) such number has been substantially reduced by reason of a decrease in or cessation of Federal activities,

the amount to which such agency is otherwise entitled shall be increased to the amount to which such agency would have been entitled but for such decrease or cessation of Federal activities, minus any

reduction in current expenditures which such agency has effected, or should have effected, by reason of such decrease or cessation.

Sudden and Substantial Increase in Attendance

Sec. 4(a) If the U.S. Commissioner of Education determines for a fiscal year

(1) that, as a direct result of activities of the United States (carried on either directly or through a contractor), an increase in the number of children in average daily attendance has occurred in such fiscal year, which increase so resulting from activities of the United States is equal to at least 5 per centum of the difference between the number of children in average daily attendancy during the preceding fiscal year and the number of such children whose attendance during such year resulted from activities of the United States;
(2) that such activities have caused a substantial and continuing financial burden; and
(3) that such agency is making a reasonable tax effort,

that such agency shall be entitled to receive for such fiscal year an amount equal to the product of

(A) the number of children determined to be the increase resulting from activities of the United States; and
(B) the amount determined to be the current expenditures per child necessary to provide free public education to such children, minus the amount determined to be available from other sources for such purpose.

For the next fiscal year, such agency shall be entitled to receive 50 per centum of such product reduced by the amount of such project which is attributable to children with respect to whom such agency is entitled to receive any payment under section 3, but not to exceed the amount determined to be necessary to provide a comparable level of education

Counting of Certain Children (section 3 children)

Sec. 4(c) In determining under subsection (a) whether there has been an increase in attendance, the U.S. Commissioner of Education shall not count

(A) children eligible under section 3: Provided, that such children may be counted if the local educational agency files its election that such increase be counted for the purposes of section 4 instead of for the purposes of section 3.

Adjustment r Decreases in Federal Activities

Sec. 4(d) Whenever it is determined that

(1) a local educational agency has made preparations to provide free public education for a certain number of children under subsection (a);
(2) such preparations were reasonable at the time;
(3) such number has been substantially reduced by reason of a decrease in or cessation of Federal activities.

the amount to which such agency is otherwise entitled under this section shall be increased to the amount to which such agency would have been entitled.

Application for Payment

Sec. 5(a) No local educational agency shall be entitled to any payment except upon application therefore, submitted through the State educational agency and filed in accordance with regulations.

Direct Payment

Sec. 5(b) Payments shall be made through the disbursing facilities of the U.S. Department of Treasury and prior to audit or settlement by the General Accounting Office. Sums appropriated pursuant to this title for any fiscal year shall remain available, for obligations and payments with respect to amounts due local educational agencies under this title for such year, until the close of the following fiscal year.

Children Local Agencies Unable To Educate

Sec. 6 In the case of children who reside on Federal property
(1) if no tax revenues of the State or locality may be expended for the free public education of such children; or
(2) if no local educational agency is able to provide suitable free public education for such children,
the U.S. Commissioner of Education shall make such arrangements as may be necessary to provide free public education for such children. Such arrangements may also be made for children of members of the Armed Forces on active duty.

Assistance in Major Disaster Areas

Sec. 7(a) If the Director of the Office of Emergency Planning determines with respect to any local educational agency that --
(1) (A) such agency is located in whole or in part within an area which has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the U.S. President, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government, and
(B) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe,
and if the U.S. Commissioner determines with respect to such local educational agency that --
(2) such agency is making a reasonable tax effort, and
(3) to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provision for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: Provided, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,
the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, upon such terms and in such amount as the Commissioner may consider to be in the public interest.

Replacement of Supplies, etc.

Sec. 7(b) The U.S. Commissioner also is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such major disaster, and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the major disaster.

Application for Payment

Sec. 7(d) No payment may be made to any local educational agency under this section except upon application therefore which is submitted through the State educational agency and filed in accordance with regulations.

Federal Interference Prohibited

Sec. 30(a) In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system of any local or State educational agency.

Definitions of Terms

Sec. 303 For purposes of this Act

(1) "Federal property" means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation. Notwithstanding the foregoing provisions, such term does not include (A) any real property used for labor supply center, (B) any real property under the jurisdiction of the Post Office Department and used primarily for the provision of postal services.

(3) "Parent" includes a legal guardian or other person in loco parentis.

(5) "Current expenditures" means expenditures for free public education to the extent that such expenditures are made from current revenues, except that such term does not include any such expenditures for the acquisition of land, the erection of facilities, interest, or debt service.

(6) "Local educational agency" means any legally constituted local school authority having administrative control and direction of free public education.

(10) "Average daily attendance" shall be determined in accordance with State law, except that (A) average daily attendance of children with respect to whom payment is to be made under Section 3 or 4 of this Act shall be determined in accordance with other regulations, and (B) notwithstanding any other provision of the Act, where the local educational agency in the district in which the child resides makes a tuition payment for the free public education of such child in another school district, the attendance of such child shall be considered (i) to be attendance at the school making the tuition payment and (ii) not to be in attendance at the school receiving such tuition payment.

Cooperative Research Act
(Public No. 531-83rd Congress)
Approved July 26, 1954

Full Title

An act to authorize cooperative research in education.

Purpose

Sec. 1 The purpose of this act is to enable the Office of Education more effectively to accomplish the purposes and to perform the duties for which it was originally established.

Educational Research and Training

Sec. 2(a)(1) The U.S. Commissioner of Education is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations and to individuals, for research, surveys, and demonstrations in the field of education, and for the dissemination of information derived from educational research, and to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities, except that no such grant may be made to private agency, organization, or institution other than a nonprofit one.

Panel of Specialists

Sec. 2(a)(2) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection until the U.S. Commissioner has obtained the advice and recommendations of a panel of specialists who are not employees of the Federal Government and who are competent to evaluate the proposals as to the soundness of their design, the possibilities of securing productive results, the adequacy of resources to conduct the proposed research, surveys, or demonstrations, and their relationship to other similar educational research or dissemination programs already completed or in progress.

Training in Research and Education

Sec. 2(b) The U.S. Commissioner is authorized to make grants to public and other nonprofit universities and colleges and to other public or nonprofit agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in Sec. 503(a)(4) of the Elementary and Secondary Education Act of 1965) including the development and strengthening of training staff and curricular capability for such training. Grants under this subsection may, when so authorized by the Commissioner, also be used by such grantees (1) in establishing and maintaining research traineeships internships, personnel exchanges, and pre- and post-doctoral fellowship, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (2) where the grantee is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations. No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction or, for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

Construction of Regional Facilities for Research and Related Purposes

Sec. 4(b) Whenever the Commissioner finds that the purposes of this Act can best be achieved through the construction of a facility for research, or for research and related purposes, and that such facility would be of particular value to the Nation or a region thereof as a national or regional resource for research or related purposes, he may make a grant for part or all of the cost of constructing such facility to a university, college, or other appropriate public or nonprofit private agency for which the facility is to be constructed, or to a combination of such agencies or institutions,or may construct or make arrangements for constructing such facility through contracts for paying part or all of the cost of constuction or otherwise. Title to any facility constructed under this section, if vested in the United States, may be transferred by the Commissioner on behalf of the United States to any such college or university or other public or nonprofit private agency or institution, but such transfer shall be made subject to the condition that the facility will be operated for the purposes for which it was constructed and to such other conditions as the Commissioner deems necessary to carry out the objectives of this title and to protect the interests of the United States.

Sec. 4(e) The term "research and related purposes" means research, research training, surveys or demonstrations in the field of education, or the dissemination of information derived therefrom to all such activities.

Definition

Sec. 5 (2) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law

(3) The term "nonprofit" as applied to any agency, organization, or institution means an agency, organization, or institution owned and operated by one or more nonprofit cooperations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual

(4) The terms "construction" and "cost of construction" include (A) the construction of new buildings, and the acquisition, expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equiping new buildings and existing buildings, whether or not acquired,expanded, remodeled, or altered.

National Defense Education Act
(Public No. 864, 85th Congress)
Approved September 2, 1958

Full Title

An act to strengthen national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes.

TITLE I

TITLE I
GENERAL PROVISIONS

Purpose of Act

Sec. 101 It is the purpose of this Act to provide substantial assistance in various forms to individuals, and to States and their subdivisions, in order to insure trained manpower of sufficient quality and quantity to meet the national defense needs of the United States.

Federal Control Prohibited

Sec. 102 Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

Definitions

Sec. 103 As used in this Act
- (f) "School-age population" means that part of the population which is between the ages of five and seventeen, both inclusive.
- (g) "Elementary school" means a school which provides elementary education, as determined by State law or, if such school is not in any State, as determined by the U.S. Commissioner.
- (h) "Secondary school" means a school which provides secondary education, as determined by State law or, if such school is not in any State, as determined by the U.S. Commissioner. For the purposes of sections 301 through 304, the term "secondary school" may include a public junior college.
- (k) "Local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public institution or agency having administrative control and direction of a public elementary or secondary school.

TITLE II

TITLE II
LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Loans to Students in Higher Education

Sec. 201 An appropriation is authorized through fiscal year ending June 30, 1969, for the purpose of enabling the U.S. Commissioner to stimulate and assist in the establishment at institutions of higher education of funds for the making of low-interest loans to students in need thereof to pursue their courses of study in such institutions.

TITLE III

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN SCIENCE, MATHEMATICS, MODERN FOREIGN LANGUAGES, AND OTHER CRITICAL SUBJECTS

Financial Assistance for Strengthening Instruction

Sec. 301 Amounts are authorized to be appropriated through fiscal year ending June 30, 1968, for (1) making payments to State educational agencies under this title for the acquisition of equipment and for minor remodeling, described in paragraph (1) of section 303(a), and (2) making loans authorized in section 305. Amounts also are authorized to be appropriated through fiscal year ending June 30, 1968, for making payments to State educational agencies under this title to carry out the programs described in paragraph (5) of section 303(a).

State Allotment Determined

Sec. 302(a)(1) From the sums appropriated pursuant to the first sentence of section 301, the U.S. Commissioner shall reserve 12 per centum for loans authorized in section 305. From the remainder of such sums, the U.S. Commissioner shall allot to each State an amount which bears the same ratio to the amount of such remainder as the product of

(A) the school-age population of the State, and

(B) the State's allotment ratio

bears to the sum of the corresponding products of all the States.

State Allotment Ratio

Sec. 302(a)(2) The "allotment ratio" for any State shall be 100 per centum less the product of (A) 50 per centum and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the United States, except that the allotment ratio shall in no case be less than 33 1/3 per centum or more than 66 2/3 per centum. The allotment ratio shall be promulgated on the basis of data for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce.

State Plans

Sec. 303(a) Any State which desires to receive payments under this title shall submit to the U.S. Commissioner through its State educational agency a State plan which

Program Areas Covered

(1) sets forth a program under which funds paid to the State from its allotment under section 302(a) will be expended solely for projects approved by the State educational agency for (A) acquisition of laboratory and other special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in education in science, mathematics, history, civics, geography, economics, modern foreign language, English, reading, or industrial arts in public elementary or secondary schools, or both, and of testgrading equipment for such schools and specialized equipment for audiovisual libraries serving such schools.

Matching Provision

Sec. 304 From a State's allotment under section 302(a), the U.S. Commissioner shall pay to such State an amount equal to one-half of the expenditures for projects for the acquisition of equipment and minor remodeling.

Loans to Nonprofit Private Schools

Sec. 305(a) The U.S. Commissioner shall allot, out of funds reserved, to each State for loans under the provisions of this section an amount which bears the same ratio to such funds as the number of persons in such State enrolled in private nonprofit elementary and secondary schools bears to the total of such numbers for all States.

TITLE IV

TITLE IV
NATIONAL DEFENSE FELLOWSHIPS

Fellowships

Sec. 403(a) Of the total number (not to exceed six thousand during the fiscal year ending June 30, 1966, and not to exceed seven thousand five hundred during each of the two succeeding fiscal years) of fellowships authorized to be awarded by the U.S. Commissioner during a fiscal year, (1) not less than one-third of such fellowships awarded during the three fiscal years shall be awarded to individuals accepted for study in graduate programs approved by the U.S. Commissioner under this section, and (2) the remainder shall be awarded on such bases as he may determine, subject to the provisions of subsection (c). The U.S. Commissioner shall approve a graduate program of an institution of higher education only upon application by the institution and only upon his finding:

(1) that such program is a new program or an existing program which has been expanded, and

(2) that such new program or expansion will substantially further the objective of increasing the facilities available in the Nation for the graduate training of college or university level teachers.

Sec. 403(c) Recipients of fellowships under this title shall be persons who are interested in teaching, or continuing to teach, in institutions of higher education and are pursuing, or intend to pursue, a course of study leading to a degree of doctor of philosophy or an equivalent degree.

TITLE V

TITLE V
GUIDANCE, COUNSELING, AND TESTING; IDENTIFICATION AND ENCOURAGEMENT OF ABLE STUDENTS

Part A - State Programs

Guidance, Counseling, and Testing; Able Students

Sec. 501 An appropriation is authorized through the fiscal year ending June 30, 1968, for making grants to State educational agencies under this part to assist them to establish and maintain programs of testing and guidance and counseling.

State Allotment Determined

Sec. 502(a) From the sums appropriated pursuant to section 501, the U.S. Commissioner shall allot to each State an amount which bears the same ratio to an appropriated amount as the school age population of such State bears to the total of the school age populations of all of the States.

State Plan

Sec. 503(a) Any State which desires to receive payments under this part shall submit to the U.S. Commissioner, through its State educational agency, a State plan which sets forth

(1) a program for testing students in the public elementary and secondary schools of such State or in the public junior colleges and technical institutes of such State, and, if authorized by law, in other elementary and secondary schools and in other junior colleges and technical institutes in such State, to identify students with outstanding aptitudes and abilities, and the means of testing which will be utilized in carrying out such program; and

(2) a program in guidance and counseling at the appropriate levels in public elementary and secondary schools or public junior colleges and technical institutes of such State (A) to advise students of courses of study best suited to their ability, aptitudes, and skills, (B) to advise students in their decisions as to the type of educational program they should pursue, the vocation they should train for and enter, and the job opportunities in the various fields, and (C) to encourage students with outstanding aptitudes and ability to complete their secondary school education, take the necessary courses for admission to institutes of higher education, and enter such institutions.

Matching Provision

Sec. 504(a) Payments under this part from a State's allotment shall equal one-half of the amount so expended, including amounts expended under the State plan for State supervisory or related services in public elementary or secondary schools in the fields of guidance, counseling, and testing, and for the administration of the State plan.

Part B - Counseling and Guidance Training Institutes

Training Institutes

Sec. 511(a) The U.S. Commissioner is authorized to arrange, through grants or contracts, with institutes of higher education for the operation by them of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged, or are teachers preparing to engage, in counseling and guidance of students in elementary or in secondary schools or in institutions of higher education, including junior colleges and technical institutes.

Stipend

Sec. 511 (b) Each person who attends an institute operated under the provisions of this part shall be eligible to receive a stipend of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend of $15 per week for each such dependent.

TITLE VI

TITLE VI
LANGUAGE DEVELOPMENT

Language and Area Centers

Sec. 601(a) The U.S. Secretary is authorized to arrange through grants to or contracts with institutions of higher education for the establishment and operation by them of centers for the teaching of any modern foreign language with respect to which the U.S. Secretary determines that individuals trained in such language are needed. Any such grant or contract may provide for instruction not only in such modern foreign language but also in other fields needed to provide a full understanding of the areas, regions, or countries. Any such grant or contract may cover all or part of the cost of the center.

Stipends

Sec. 601(b) The U.S. Secretary is also authorized to pay stipends to individuals undergoing advanced training in any modern foreign language and related other fields, including allowances for dependents and for travel to and from their place of residence, but only upon reasonable assurance that the recipients will be available for teaching a modern foreign language in an institution of higher education or for such other service of a public nature as may be permitted in regulations of the Secretary.

Studies in Language Instruction

Sec. 602 The U.S. Commissioner is authorized, directly or by contract, to make studies and servieys to determine the need for increased or improved instruction in modern foreign languages and related fields and to conduct research on more effective methods of teaching such languages.

TITLE VII
UTILIZATION OF TELEVISION, RADIO, MOTION PICTURES, AND RELATED MEDIA

Part A - Research and Experimentation

Television, Radio, Motion Pictures, and Related Media

Sec. 701 In carrying out the provisions of this part the U.S. Commissioner, in cooperation with the Advisory Committee on New Educational Media, shall conduct assist, and foster research and experimentation in the development and evaluation of projects involving television, radio, motion pictures, printed and published materials, and related media of communication which may prove of value to State or local educational agencies in the operation of their public elementary or secondary schools, and to institutions of higher education.

Grants-in-Aid and Contracts

Sec. 702 The U.S. Commissioner may
- **(1) make grants-in-aid, approved by the Advisory Committee on New Educational Media, to public or nonprofit private agencies, organizations, and individuals for projects of research or experimentation;**
- **(2) enter into contracts, approved by the Advisory Committee on New Educational Media, with public or private agencies, organizations, groups, and individuals for projects of research and experimentation.**

Sec. 731 The U.S. Commissioner

(1) shall make studies and surveys to determine the need for increased or improved utilization of communication media;

(2) shall prepare and publish catalogs, reviews, bibliographies, abstracts, analysis of research and experimentation relative to such media;

(3) may, upon request, provide advice, counsel, technical assistance and demonstrations to State or local educational agencies or institutions of higher education relative to such media.

TITLE VIII

TITLE VIII
AREA VOCATIONAL EDUCATION PROGRAMS

Note: This title becomes an amendment to the George-Barden Act (Area Vocational Education Programs). Refer to Title III of the George-Barden Act.

TITLE IX

TITLE IX
SCIENCE INFORMATION SERVICE

Science Information Service

Sec. 901 The National Science Foundation shall establish a Science Information Service. The Foundation shall (1) provide, or arrange for the provision of indexing, abstracting, translating, and other services leading to a more effective dissemination of scientific information, and (2) undertake programs to develop new or improved methods, including mechanized systems, for making scientific information available.

TITLE X

TITLE X
MISCELLANEOUS PROVISIONS

Loyalty Oath

Sec. 1001(f)(1) No part of any funds appropriated or otherwise made available under the authority of this act shall be used to make payments or loans to any individual unless such individual has taken and subscribed to an oath or affirmation in the following form:

> "I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic."

Fiscal Accountability

Sec. 1004(a) No State plan shall be approved which does not

(3) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under such title or section.

Statistical Services of State Agencies

Sec. 1009(b) Grants under this section by the U.S. Commissioner shall be equal to one-half of the cost of State educational agency programs to carry out the purposes of this section, including (1) improving the collection, analysis, and reporting of statistical data supplied by local educational units, (2) the development of accounting and reporting manuals to serve as guides for local educational units, (3) the conduct of conferences and training for personnel of local educational units and of periodic reviews and evaluation of the program for records and reports, (4) improving methods for obtaining, from other State agencies within the State, educational data not collected by the State educational agency or (5) expediting the processing and reporting of statistical data through the installation and operation of mechanical equipment.

TITLE XI

TITLE XI

PART I - GENERAL

INSTITUTES

Institutes

Sec. 1101 Funds are authorized to enable the U.S. Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation by them of short-term or regular session institutes for advanced study to improve the qualification of individuals--

(1) who are engaged in or preparing to engage in the teaching of history, geography, economics, civics, industrial arts, modern foreign languages, reading, or English in elementary or secondary schools.

(2) who are engaged in or preparing to engage in the teaching of disadvantaged youth are are, by virtue of their service of future service in elementary or secondary schools enrolling substantial numbers of culturally, economically, socially, and educationally handicapped youth, in need of specialized training.

(3) who are engaged as, or preparing to engage as, library personnel in elementary or secondary schools, or

(4) who are engaged as, or preparing to engage as, educational media specialists.

Stipends

Sec. 1102 Each individual who attends such institute shall be eligible to receive a stipend at the rate of $75 per week and shall receive an additional stipend at the rate of $15 per week for each dependent.

PART II - INTERNATIONAL AFFAIRS

INTERNATIONAL AFFAIRS INSTITUTES

Institutes

Sec. 1111 Funds are authorized, for fiscal years 1967 and 1968, to enable the Commissioner to arrange through contracts with institutions of higher education for the establishment and operation of short-term or regular-session institutes for teachers in secondary schools in order to give them a broad understanding of international affairs. Costs which may be included are: establishment and operation of the institute; grants to staff of travel; and travel of foreign scholars who come to teach in the institutes.

Stipends

Sec. 1112 Each individual who attends such institute is eligible to receive stipends, including allowances for dependents and for travel to and from place of residence.

Science Clubs
(Public No. 875-85th Congress)
Approved September 2, 1958

Purpose

Sec. 1 Provides $50,000 annually to encourage, foster, and assist in the establishment of Science Clubs throughout the Nation, such Clubs to be made up of boys and girls with a special interest in science.

Sec. 2 U.S. Commissioner of Education to utilize funds to accomplish ultimate chartering by Congress of a corporation similar to the Future Farmers of America to --

(1) develop an interest in science on the part of the young people of America,
(2) provide opportunity for exchange of scientific information and ideas among club members,
(3) encourage promotion of science fairs at which club members display scientific works and projects, and
(4) develop an awareness of the satisfactions derived from a career devoted to science.

Manpower Development and Training Act
(Public No. 415-87th Congress)
Approved March 15, 1962

Full Title

An Act relating to manpower requirements, resources, development and utilization, and for other purposes.

TITLE I

TITLE I

Purpose

Sec. 101 To appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation, technological changes, and other types of persistent unemployment. The Congress further finds that many professional employees have become unemployed and are in need of refresher or reorientation educational courses in order to become qualified for other employment in their professions.

Duties of Secretary of Labor

Sec. 102 The U.S. Secretary of Labor shall:

(1) evaluate the impact of, and benefits and problems created by automation;

(2) establish studies of practices which impede or facilitate worker mobility, the extension of benefits to laid-off workers, the operation of severance pay, education and training plans;

(3) appraise the Nation's manpower efforts and needs;

(4) promote, encourage, or engage in programs to prevent or ameliorate undesirable effects from automation;

(5) arrange, through grants or contracts, such research as gives promise of furthering the objectives of this act;

(6) establish a program of experimental projects with public or private agencies to improve methods of meeting manpower, employment, and training problems.

Job Development Programs

Sec. 103 Provides that the U.S. Secretary of Labor shall stimulate and assist, in cooperation with interested agencies both public and private, job development programs, through on-the-job training and other suitable methods, that will serve to expand employment by the filling of those service and related needs which are not now being met because of lack of trained workers or other reasons affecting employment or opportunities for employment.

Grants and Loans

Sec. 104 Provides that during the period ending June 30, 1968, the U.S. Secretary of Labor shall develop and carry out, in a limited number of geographical areas, pilot projects designed to assess or demonstrate the effectiveness in reducing unemployment of programs to increase the mobility of unemployed workers by providing assistance to meet their relocation expenses.

Placement Assistance, Demonstration Projects

Sec. 105 Provides that the U.S. Secretary of Labor develop and carry out experimental and demonstration projects to assist in the placement of persons seeking employment through a public employment office.

TITLE II
Part A

TITLE II

Purpose

Sec. 201 Charges the U.S. Secretary of Labor with the responsibility to determine the skill requirements of the economy and to provide policies of worker utilization and programs of training to equip the Nation's workers with new and improved skills that are or will be required.

Selection of Trainees

Sec. 202(a) Requires U.S. Secretary of Labor to provide a program for testing, counseling, and selecting for occupational training individuals who are unemployed or underemployed.

Youth

Sec. 202(b) Requires a special program when appropriate for youths 16 years of age or older who are unable to secure employment without such occupational training and further schooling.

Referral for Training

Sec. 202(c) Requires U.S. Secretary to provide, where appropriate, a special program of testing, counseling, selection and referral of persons forty-five years of age or older for occupational training and further schooling designed to meet the special problems faced by such persons in the labor market.

Priority

Sec. 202(d) Provides that although priority in referral for training shall be extended to unemployed persons, the U.S. Secretary of Labor shall, to the maximum extent possible, also refer other persons qualified for training programs which will enable them to acquire needed skills. Priority shall also be extended to persons to be trained for skills needed within, first, the labor market area in which they reside and, second, within the State of their residence.

Service

Sec. 202(e) Requires the U.S. Secretary of Labor to determine for referred persons their occupational training needs, provide for their orderly selection and referral for training, and provide counseling and placement service after training completion, and follow-up studies to determine whether the programs provided meet their occupational training need.

Length of Course

Sec. 202(g) The U.S. Secretary shall not refer persons for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

Length of Program

Sec. 202(h) The duration of any training program to which a person is referred shall be reasonable and consistent with the occupation for which the person is being trained.

Attendance

Sec. 202(i) Failure to maintain satisfactory attendance shall cause termination of a trainee's training and subsistence allowances and forfeit of his eligibility for allowances for one year thereafter.

Basic Education

Sec. 202(j) Whenever appropriate, the U.S. Secretary may also refer for the attainment of basic education skills those eligible persons who indicate their intention to, and will thereby be able to, pursue courses of occupational training of a type for which there appears to be reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable. Such referrals shall be considered a referral for training within the meaning of this Act.

Physical Examinations

Sec. 202(k) The U.S. Secretary may provide for appropriate physical examinations, medical treatment, and prostheses for persons selected, or eligible to be selected, for training under this Act, such persons are unable to pay the cost and no other community resources are available for such service.

Allowances

Sec. 203(a) Provides for weekly training allowances for trainees, payments of which shall be made for a period not exceeding 104 weeks. The basic amount of any such payment in any week for persons undergoing training, including uncompensated employer-provided training, shall not exceed $10 more than the amount of the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available: Provided, That the basic amount of such payments may be increased by $5 a week for each dependent over two up to a maximum of four additional dependents: Provided further, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of his total allowance, including payments for dependents, shall receive an allowance increased by the amount of such excess.

With respect to any week for which a person receives unemployment compensation under Title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the total training allowance, including payments for dependents, provided for by the preceding paragraph, a supplemental training allowance shall not exceed the difference between his unemployment compensation and the training allowance provided by the preceding paragraph.

For persons undergoing on-the-job training, the amount of any payment which would otherwise be made by the U.S. Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week under the training program bears to 40 hours.

The training allowance of a person engaged in training under section 204 and 231 shall not be reduced on account of employment (other than employment under an on-the-job training program under section 204) which does not exceed 20 hours per week, but shall be reduced in an amount equal to his full earnings for hours worked (other than in employment under such an on-the-job training program) in excess of 20 hours per week.

Transportation Allowance

Sec. 203(b) Authorizes the U.S. Secretary of Labor to pay to any person engaged in training under this title, including compensated full-time on-the-job training, such sums as he may determine to be necessary to defray transportation expenses, and when such training is provided in facilities which are not within commuting distance of the trainee's regular place of residence, subsistence expenses for separate maintenance of the trainee: Provided, That such subsistence allowance shall not exceed $35 per week, at the rate of $5 per day; nor shall the U.S. Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile (except in cases meeting specified conditions).

Subsistence Allowance

Training Allowances

Sec. 203(c) Provides that the U.S. Secretary of Labor shall pay training allowances only to unemployed persons who have had at least one year of experience in gainful employment: Provided, That he shall not pay training allowances to members of a family or a household in which the head of the family or the head of the household is employed unless the U.S. Secretary determines that such payments are necessary in order for the trainee to undertake or to continue training: Provided further, That no allowances shall be paid to any member of a family or household if the U.S. Secretary determines that the head of such family or household has terminated his employment for the purpose of qualifying such member for training allowances under this section. In spite of the preceding sentence, the U.S. Secretary may pay training allowances at a rate not in excess of $20 a week to youths 17 years of age or older who require such training in accordance with section 202(b), and who are not entitled to allowances under the preceding sentence, except [redacted] no such training allowance shall be paid to any such youth who has not graduated from high school, unless the U.S. Secretary has satisfied himself that such youth has continuously failed to attend school for a period of not less than one year or that the local authorities after pursuing all appropriate procedures, including guidance and counseling, have concluded, after considering any assistance available under section 13 of the Vocational Education Act of 1963, that further school attendance by such youth in any regular academic or vocational program is no longer practicable under the circumstances. The number of youths under the age of 22 who are receiving training allowances (or who would be entitled thereto but for the receipt of unemployment compensation) shall, except for such adjustments as may be necessary for effective management of programs under this section, not exceed 25 per centum of all persons receiving such allowances (or who would be entitled thereto but for the receipt of unemployment compensation). The U.S. Secretary may authorize continued payments of allowances to any youth who becomes 22 years of age during the course of his training, if he has completed a substantial part of such training. "Not withstanding any provision to the contrary in this subsection or in subsection (h), the Secretary may refer any individual who has completed a program under part B of Title I of the Economic Opportunity Act of 1964 to training under this Act, and such individual may be paid a training allowance as provided in section 203(a) of this Act without regard to the requirements imposed on such payments by the preceding sentences of subsection (c) or by subsection (h) of this section. Such payments shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available. Such persons shall not be deemed youths for the purpose of applying the provision under this subsection limiting the number of youths who may receive training allowances."

Youth

Penalty

Sec. 203(e) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

Loss of Entitlement

Sec. 203(h) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provisions of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination (for other than good cause) of the training with respect to which such allowance or payment was made, unless the Secretary determines that there is good cause to permit an individual referred to further training to receive training allowances so that he may be prepared adequately for full-time employment.

Six Days

Sec. 203(i) No training allowance shall be paid to any person receiving training for an occupation requiring a training period of less than 6 days.

Advance Training Payments

Sec. 203(j) The Secretary of Labor is authorized to make advance payments of training allowances to individuals selected for training who can show unique circumstances of need for such payments in order to continue training. (The total of advance payments under this section will be limited to amounts described in the Act, as amended). Such advance payments shall be repaid either through deductions from training allowances or through other arrangements with such trainee.

Payments for Part-time Training

Sec. 203(k) Under such standards as the Secretary of Labor may find appropriate to achieve the purposes of subsection 202(1), an individual referred to part-time training under such section shall be paid an amount not to exceed $10 with respect to each week in which he is engaged in such training and such payment shall be in lieu of any other payments to which he may otherwise be entitled under this section.

Limitations of Training Payments

Sec. 203(1) (1) No training allowance shall be paid to any person for any period for which a money payment has been made with respect to the need of that person under a State plan which has been approved under Title I, IV, X, XIV, or XVI of the Social Security Act and which meets the requirements of the first sentence of paragraph (2) of this subsection. The Secretary of Labor is authorized to pay to any such person (A) such sums as the Secretary determines to be necessary to defray expenses of that person which are attributable to training pursuant to the provisions of this Act, and (B) a training incentive payment of not more than $20 per week. Persons receiving payments under the preceding sentence shall be counted for purposes of the third sentence of section 203(c) as though they were receiving training allowances.

On-the-job Training

Sec. 204(a) The U.S. Secretary of Labor shall encourage, develop and secure the adoption of programs for on-the-job training needed to equip persons selected for training with the appropriate skills.

tandards of Suitability

Sec. 204(b) In adopting or approving any training program under this part, and as a condition to the expenditure of funds for any such program, the U.S. Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances that --

(1) the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;
(2) the training period is reasonable and consistent with periods customarily required for comprable training;
(3) adequate and safe facilities, and adequate personnel and records of attendance are provided; and
(4) the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations, considering such factors as industry, geographical region, and trainee proficiency.

Classwork Portion

Sec. 204(c) Where on-the-job training programs under this part require supplementary classroom instruction, appropriate arrangements for such instruction shall be agreed to by the U.S. Secretary of Health, Education, and Welfare and the U.S. Secretary of Labor.

State Agreements

Sec. 206(a) Authorizes the U.S. Secretary of Labor to enter into an agreement with each state, or with the appropriate agency of each State, pursuant to which the U.S. Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and make payments to such State or appropriate agency for expenses incurred for such purposes.

Part B

State Agreements

Sec. 231 The U.S. Secretary of Health, Education, and Welfare shall enter into agreements with States under which the appropriate State education agencies will undertake to provide training needed to equip persons referred to the Secretary of Health, Education, and Welfare by the U.S. Secretary of Labor pursuant to section 202, for the occupations specified in the referrals, except that with respect to education to be provided pursuant to referrals under subsection (b) or (i) of section 202, the U.S. Secretary of Health, Education, and Welfare may make arrangements for the provision of the education to be provided under such subsection through other appropriate education agencies. Such State agencies shall provide for such training through public educational agencies or institutions or through arrangements with private educational or training institutions where such private institutions can provide equipment or services not available in public institutions, particularly for training in technical and subprofessional occupations, or where such institutions can, at comparable cost,

(1) provide substantially equivalent training, or
(2) make possible an expanded use of the individual referral method, or
(3) aid in reducing more quickly unemployment or current and prospective manpower shortages.

The State agency shall be paid nor more than 90 per centum of the cost to the State of carrying out the agreement, unless the U.S. Secretary of Health, Education, and Welfare determines that payments in excess of 90 per centum are necessary because such payments with respect to private institutions or programs carried out in conjunction with projects under Sec. 102(b) are required to give full effect to the purposes of the Act: Provided, That for the period ending June 30, 1966, the State agency shall be paid 100 per centum of the cost to the State of carrying out the agreement. Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services.

Matching Provisions

Part C

Redevelopment Areas

Sec. 241 The U.S. Secretaries of Labor and of Health, Education, and Welfare, in accordance with their respective responsibilities under parts A and B of this title, are authorized to provide a supplementary program of training and training allowances, in consultation with the U.S. Secretary of Commerce under the Area Redevelopment Act or any subsequent Act authorizing such designation. Such program shall be carried out by the U.S. Secretaries of Labor and Health, Education, and Welfare in accordance with the provisions otherwise applicable to programs under this Act and with their respective functions under those provisions, except that --

(1) The U.S. Secretary of Labor, in consultation with the U.S. Secretary of Commerce, shall determine the occupational training or retraining needs of unemployed or underemployed individuals residing in redevelopment areas;

(2) all unemployed or underemployed individuals residing in redevelopment areas who can reasonably be expected to obtain employment as a result of such training may be referred and selected for training and shall be eligible for training allowances under this section;

(3) the U.S. Secretaries of Labor and of Health, Education, and Welfare shall prescribe jointly with the U.S. Secretary of Commerce such rules and regulations as may be necessary to carry out the purposes of this section; and

(4) no funds available under this section shall be apportioned to any State pursuant to section 301 of this Act, nor shall any matching funds be required.

Part D

Correctional Institutions

Sec. 251 Without regard to any other provision of this title or section of this Act, the Secretary of Labor shall, during the period ending June 30, 1969, develop and carry out experimental and demonstration programs of training and education for persons in correctional institutions who are in need thereof to obtain employment upon release. Arrangements for such education and training shall be made by the Secretary of Health, Education, and Welfare after consultation with the appropriate area manpower development and training advisory committee. Programs under this part shall be conducted through agreements with officials of Federal, State, and local correctional institutions. To the fullest extent practicable, the Secretary of Labor shall utilize the available services of other Federal departments and agencies. Programs under this part may include vocational education; special job development and placement activities; prevocational, basic, and secondary education, and counseling, where appropriate; supportive and followup services and such other assistance as is deemed necessary.

Part E

Work Experience and Training Programs

Sec. 261(a) The Secretary of Labor shall cooperate with the Secretary of HEW to provide programs for needy persons who require work experience, and training, in order to secure and hold regular employment in competitive labor market.

Priority of Programs

Sec. 261(b) The Secretary, in granting approval under this part, shall give priority to programs with a high training potential and which afford the best prospects for contributing to the upward mobility of participants.

Apportionment of Funds

Sec. 261(c) Not withstanding any other provision of this Act, the provision of section 503 of the Economic Opportunity Act of 1964, as amended, shall govern the use and apportionment among the several States of funds provided pursuant to such Act for the purpose of carrying out this part.

TITLE III

TITLE III

Apportionment of Benefits

Sec. 301 Provides that the apportionment among the States of Federal expenditures authorized under parts A and B of Title II shall be in accordance with uniform standards and that in arriving at such standards, the U.S. Secretaries of Labor and of Health, Education, and Welfare shall consider only the following factors: (80 per centum of funds available shall be for these purposes).

(1) the proportion which the labor force of a State bears to the total labor force of the United States;
(2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year;
(3) the lack of appropriate full-time employment in the State;
(4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State; and
(5) the average weekly unemployment compensation benefits paid by the State.

The remaining 20 per centum may be expended by the Secretaries as they find necessary to carry out purposes of Title II.

State Effort

Sec. 302 No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the

Smith-Hughes Vocational Education Act, Titles I, II, and III of the Vocational Education Act of 1946, and the Vocational Education Act of 1963, except for reductions unrelated to the provisions or purposes of this Act.

Limitations

Sec. 305(b) Any equipment and teaching aids purchased by a State or local education agency with funds appropriated to carry out part B provisions shall become the property of the State.

Sec. 305(c) No portion of the funds to be used under part B of this Act shall be appropriated directly or indirectly to the purchase, erection, or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in training under part B.

Sec. 305(d) Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

Payments

Sec. 305(e) The costs of all training programs approved in any fiscal year, including the total cost of training allowances for such programs, may be paid from funds appropriated for such purposes for that fiscal year; and the amount of the Federal payment shall be computed on the basis of the per centum requirement in effect at the time such programs are approved: Provided, That funds appropriated for the fiscal year ending June 30, 1966, may be expended for training programs approved under this Act prior to July 1, 1965.

Communications Act Amendments
(Public No. 447, 87th Congress)
Approved May 1, 1962

Full Title

An act to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television broadcasting facilities to be used for educational purposes.

PART IV

GRANTS FOR EDUCATIONAL TELEVISION BROADCASTING FACILITIES

Declaration of Purpose

Sec. 390 The purpose of this part is to assist (through matching grants) in the construction of educational television broadcasting facilities.

Grants for Construction

Sec. 392(a) For each project for the construction of educational television broadcasting facilities there shall be submitted to the Secretary of Health, Education and Welfare, an application for a grant containing such information with respect to such project as the Secretary may by regulation require, including the total cost of such project and the amount of the Federal grant requested for such project, and providing assurance satisfactory to the Secretary --

Eligible Applicants

(1) that the applicant is (A) an agency or officer responsible for the supervision of public elementary or secondary education within that State, or within a political subdivision thereof, (B) the State educational television agency, (C) a college or university deriving its support in whole or in part from tax revenues, or (D) a nonprofit foundation, corporation or association which is organized primarily to engage in or encourage educational television broadcasting and is eligible to receive a license from the Federal Communications Commission for a noncommercial educational television broadcasting station pursuant to the rules and regulations of the Commission in effect on April 12, 1962;

(2) that the operation of such educational television broadcasting facilities will be under the control of the applicant or a person qualified under paragraph (1) to be such an applicant;

(3) that necessary funds to construct, operate, and maintain such educational television broadcasting facilities will be available when needed; and

Educational Television Purposes

(4) that such television broadcasting facilities will be used only for educational purposes.

Maximum Grant

Sec. 392(b) The total amount of grants under this part for the construction of educational television broadcasting facilities to be situated in any State shall not exceed $1,000,000.

Notification of State Educational Television Agency

Sec. 392(c) In order to assure proper coordination of construction of educational television broadcasting facilities within each State which has established a State educational television agency, each applicant for a grant for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application.

Criteria for Approval of Grants

Sec. 392(d) The Secretary of Health, Education and Welfare shall base his determinations of whether to approve applications for grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (1) prompt and effective use of all educational television channels remaining available, (2) equitable geographical distribution of educational television broadcasting facilities throughout the States, and (3) provision of educational television broadcasting facilities which will serve the greatest number of persons and serve them in as many areas as possible, and which are adaptable to the broadest educational uses.

Matching Provisions

Sec. 392(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding (1) 50 per centum of the amount which he determines to be the reasonable and necessary cost of such project, plus (2) 25 per centum of the amount which he determines to be the reasonable and necessary cost of any educational television broadcasting facilities owned by the applicant on the date on which it files such application; except that (A) the total amount of any grant made under this section with respect to any project may not exceed 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project; and (B) not more than 15 per centum of any such grant may be used for the acquisition and installation of microwave equipment, boosters, translators, and repeaters which are to be used to connect two or more broadcasting stations. The Secretary shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.

Transfer of Ownership or Purpose

Sec. 392(f) If, within ten years after completion of any project for construction of educational television broadcasting facilities with respect to which a grant has been made under this section --

(1) the applicant or other owner of such facilities ceases to be an agency, officer, institution, foundation, corporation, or association described in subsection (a)(1), or

(2) such facilities cease to be used for educational television purposes,

the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the then value of such facilities, as the amount of the Federal participation bore to the cost of construction of such facilities.

Records

Sec. 393(a) Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Secretary to carry out his functions under this part, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Audit and Examination

Sec. 393(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have

access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this part.

Definitions

Sec. 394 For the purposes of this part --

(2) The term 'construction', as applied to educational television broadcasting facilities, means the acquisition and installation of transmission apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, and video-recording equipment) necessary for television broadcasting, including apparatus which may incidentally be used for transmitting closed circuit television programs, but does not include the construction or repair of structures to house such apparatus.

(4) The term 'State educational agency' means (A) a board or commission established by State law for the purpose of promoting educational television within a State, (B) a board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law, or (C) a State officer or agency responsible for the supervision of public elementary or secondary education or public higher education within the State which has been designated by the Governor to assume responsibility for the promotion of educational television.

(5) The term 'nonprofit' as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

Federal Interference or Control Prohibited

Sec. 397 Nothing contained in this part shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational institution, school system, or educational broadcasting station or system.

Public Welfare Amendments
(Public No. 543, 87th Congress)
Approved July 25, 1962

Full Title

An act to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes.

TITLE IV

TITLE IV

Community Work and Training Programs

Sec. 409(a) For the purpose of assisting the States in encouraging, through community work and training programs of a constructive nature, the conservation of work skills and the development of new skills for individuals who have attained the age of 18 and are receiving aid to families with dependent children, under conditions which are designed to assure protection of the health and welfare of such individuals and the dependent children involved, expenditures for any month with respect to a dependent child under an approved State plan shall not be excluded from aid to families with dependent children because such expenditures are made in the form of payments for work performed in such month by any one or more of the relatives with whom such child is living if such work is performed for the State agency or any other public agency under a program administered by or under the supervision of such State agency, if there is State financial participation in such expenditures, and if such State plan includes --

Adult Education Classes

(3) provision for entering into cooperative arrangements with the State agency or agencies responsible for administering or supervising the administration of vocational education and adult education in the State, looking toward maximum utilization of available public vocational or adult education services and facilities in the State in order to encourage the training or retraining of any such relatives performing work under such program and otherwise assist them in preparing for regular employment.

Special Note

Sec. 36(a) and Sec. 113 of the Social Welfare Law authorizes similar training for all Federal categories of welfare recipients.

ABSTRACT OF AGREEMENT BETWEEN

New York State Department of Education and New York State Department of Social Welfare

for the

Training of Public Assistance Recipients in Basic Literacy Education and Job Orientation and the Purchase of Educational Services Therefor

The general purpose of the Public Welfare Amendments of 1962 (P.L. 87-543) is to encourage and support the further development of broad public assistance programs that help dependent families and adults to deal constructively with their economic, health and social needs, and contribute significantly to the reduction and prevention of dependency in our society.

One of the essential steps in any plan to reduce and prevent dependency is to help those employable men and women who lack them, to develop educational and vocational skills which will aid them in securing and retaining gainful employment in the current employment market.

The primary purpose of the Manpower Development and Training Act of 1962 is to provide vocational training opportunities to eligible candidates for the development of basic skills or for the upgrading of vocational skills to meet industrial needs. To the extent that recipients of public assistance meet the qualifications, they are considered together with other qualified candidates for inclusion in such training courses.

However, it has been found that a high proportion of the employable public assistance caseload lacks the basic literacy education essential to admission to such courses. Moreover, a significant percentage of the unemployed group of employable adults is illiterate, having attained less than a fifth year educational level.

In order to make available special educational services to public assistance recipients to achieve a level of literacy essential for employment, arrangements ar hereby being made for the purchase of services by the New York State Department of Social Welfare through the New York State Department of Education.

Mental Retardation Facilities and Community Mental Health Centers Construction Act
(Public No. 164 - 88th Congress)
Approved October 31, 1963

Full Title

An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes.

TITLE III

TITLE III

Training of Teachers of Mentally Retarded And Other Handicapped Children

Grants to Institutions of Higher Education

Sec. 301(a)(2) The U.S. Commissioner of Education is authorized to make grants to public or other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as teachers of handicapped children, as supervisors of such teachers, or as speech correctionists or other specialists providing special services for education of such children, or engaged or preparing to engage in research in fields related to education of such children.

Research and Demonstration Projects in Education of Handicapped Children

Sec. 302(a) There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years, the sum of $2,000,000 to enable the U.S. Commissioner of Education to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations for research or demonstration projects relating to education for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this section referred to as "handicapped children"). Such grants shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Commissioner of Education may determine.

Sec. 302(b) The U.S. Commissioner of Education is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy relating to particular fields of education of handicapped children or relating to special services necessary thereto or special problems involved therein.

Higher Education Facilities Act
(Public No. 204 - 88th Congress)
Approved December 16, 1963

Full Title

An act to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions.

Purpose of Act

Sec. 2 It is the purpose of this Act to provide assistance to institutions of higher education for the establishment of facilities to accommodate the growing numbers of youth who aspire to a higher education and upon whom the security and welfare of the United States depends.

TITLE I
GRANTS FOR THE CONSTRUCTION OF UNDERGRADUATE ACADEMIC FACILITIES

Grants

Sec. 101(a) Provides a program of grants for fiscal years 1964-71.

Authorization of Funds

Sec. 101(b) Provides authorization of $230,000,000 for each of fiscal 1964 and fiscal 1965, $460,000,000 for fiscal 1966, $475,000,000 for fiscal 1968, $936,000,000 for fiscal 1969, and authorization to be determined for fiscal 1970 and 1971. Authorization for each of fiscal 1965 and fiscal 1966 to be increased by any difference between the sums authorized under the preceding sentence for preceding fiscal years and the aggregate of the sums which were appropriated for such preceding years under such sentence.

Two-Year Availability of Title I Funds

Sec. 101(c) Sums appropriated pursuant to subsection (b) of this section to remain available as provided in section 109 until the close of the fiscal year next succeeding the fiscal year for which they were appropriated.

Sec. 102 Reserves a precentage of funds for use of public community and public technical institutes.

Allotments Among States

Sec. 103 Provides that funds to be allotted for any fiscal year for use in providing academic facilities for public community colleges and public technical institutes shall be allotted among the States on the basis of a formula involving the income per person and the number of high school graduates of the respective States. Describes circumstances under which allotments relevant to this section may be made available to section 104 institutions.

Sec. 104 Provides that funds to be allotted for any fiscal year for use in providing academic facilities for institutions of higher education other than public community colleges and public technical institutes shall be allotted among the States on the basis of student enrollment in each State in relation to student enrollment in the United States. Describes circumstances under which allotments relevant to this section may be made available for section 103 institutions.

State Plan

Sec. 105 Requires the State agency to submit a State plan which provides for administrative procedures, relative priorities of eligible projects, proper use of the funds provided, fiscal control and fund accounting procedures, and the making of necessary reports.

Eligibility

Sec. 106 Eligibility for grant dependent upon whether or not construction will result in urgently needed expansion or creation of the institution's enrollment capacity or capacity or carry out extension and continuing education programs on the campus.

Federal Share

Sec. 107 In the case of a project for an institution of higher education other than a public community college or technical institute, the Federal share in no event to exceed 33 1/3% of its development cost; in the case of a project for a public community college or public technical institute, the Federal share in no event to exceed 40% of its development cost.

TITLE II

TITLE II
GRANTS FOR CONSTRUCTION OF GRADUATE ACADEMIC FACILITIES

Authorization of Funds

Availability of Sec. 201 Funds

Sec. 201 Authorizes sums ranging from $25,000,000 for fiscal 1964 to $120,000,000 for fiscal 1968 for assistance to graduate schools and cooperative graduate centers. Authorization for fiscal 1970 and fiscal 1971 dependent upon Congressional action. Sums appropriated pursuant to this section for any fiscal year to remain available for grants under this title until expended.

Federal Share

Sec. 202 Federal grants under this title limited to 33 1/3% of the eligible costs of the project.

Advisory Committee

Sec. 203 Establishes an Advisory Committee on Graduate Education to assist the U. S. Commissioner of Education in awarding approvals which will further the purposes of this Act and of this title.

TITLE III

TITLE III
LOANS FOR THE CONSTRUCTION OF ACADEMIC FACILITIES

Sec. 301 Authorizes the U. S. Commissioner of Education to extend loans to institutions of higher education for construction of academic facilities.

Authorization of Funds

Sec. 303 Authorizes for purposes of this title $120,000,000 for fiscal 1964, 1965, and 1966. $200,000,000 for fiscal 1967; $400,000,000 for each of fiscal 1968 and 1969. Authorization for each each fiscal year may be increased by any difference between the sums authorized under the preceding sentence for preceding fiscal years and the aggregate of the sums which were appropriated for such preceding years under such sentence. Funds for fiscal 1970 and fiscal 1971 dependent upon Congressional action. Requires ¼ of development cost to be financed from non-Federal funds. Repayment period to extend not beyond 50 years at interest not more than 3%. Sums appropriated pursuant to subsection 303(c) for any fiscal year to remain available for loans under this title without fiscal year limitations for loans under this title.

Availability of Title III Funds

Vocational Education Act
(Public No. 210, 88th Congress)
Approved December 18, 1963

Full Title

An act to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the nation.

Purpose of Act

Sec. 1 It is the purpose of this part to authorize Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education, to develop new programs of vocational education and to provide part-time employment for youths who need the earnings from such employment to continue their vocational training on a full-time basis, so that persons of all ages will have ready access to vocational training or retraining.

Allotments to States

Sec. 3(a) Ninety per centum of the sums appropriated shall be allotted among the States on the basis of the number of persons in the various age groups needing vocational education and the per capita income in the respective States as follows: The U.S. Commissioner shall allot to each State

(1) An amount which bears the same ratio to 50 per centum of the sums so appropriated, as the product of the population aged fifteen to nineteen, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all States; plus

(2) An amount which bears the same ratio to 20 per centum of the sums so appropriated, as the product of the population aged twenty to twenty-four, inclusive, and the State's allotment ratio bears to the sum of the corresponding products for all States; plus

(3) An amount which bears the same ratio to 15 per centum of the sums so appropriated for such year, as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all States; plus

(4) An amount which bears the same ratio to 5 per centum of the sums appropriated for such year, as the sums of the amounts allotted to the State under paragraphs (1), (2), and (3) for such year bears to the sum of the amounts allotted to all States under paragraphs (1), (2), and (3) for such year.

Allotment Ratio

Sec. 3(d)(1) The "allotment ratio" for any State shall be 1.00 less the product of (A) 0.50 and (B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States, except that (1) the allotment ratio shall in no case be less than 0.40 or more than 0.60.

Sec. 3(d)(2) Allotment ratios shall be computed on the basis of the average of the per capita incomes for a State and for all States for the three most recent consecutive fiscal years for which satisfactory data is available from the Department of Commerce.

Sec. 3(d)(3) "Per capita income" for a State or for all the States for any fiscal year, means the total personal income for such State, and for all such States, respectively, in the calendar year ending in such fiscal year, divided by the population of such State, and of all such States, respectively, in such fiscal year.

Program Areas

Sec. 4(a) Except as otherwise provided, a State's allotment under section 3 may be used for all of the following purposes:

(1) Vocational education for persons attending high school;
(2) Vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market;
(3) Vocational education for persons (other than those receiving training allowances under other Federal programs) who have already entered the market and who need training or retraining to achieve stability or advancement in employment;
(4) Vocational education for persons who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education program;
(5) Construction of area vocational education school facilities;
(6) Ancillary services and activities to assure quality in all vocational education programs.

Sec. 4(b) At least 33 1/3 per centum of each State's allotment for any fiscal year ending prior to July 1, 1968, and at least 25 per centum of each State's allotment for any subsequent fiscal year shall be used only for the purposes set forth in paragraph (2) or (5), or both, of subsection (a), and at least 3 per centum of each State's allotment shall be used only for the purposes set forth in paragraph (6) of subsection (a).

Research or Pilot Grants

Sec. 4(c) Ten per centum of the total national appropriation shall be used by the U.S. Commissioner to make grants to colleges and universities, and other public or nonprofit private agencies and institutions, to State boards, and with the approval of the appropriate State board, to local educational agencies, to pay part of the cost of research and training programs and of experimental, developmental, or pilot programs developed by such institutions, boards, or agencies, and designed to meet the special vocational education needs of youths.

State Plans

Sec. 5(a) A State which desires to receive its allotments of Federal funds under this part shall submit through its State board to the U.S. Commissioner a State plan which

(Policies and Procedures)

(2) sets forth the policies and procedures to be followed by the State in allocating each such allotment among the various uses, and in allocating Federal funds to local educational agencies in the State;

(Occupational Information)

(4) provides for entering into cooperative arrangements with the system of public employment offices in the State looking toward such offices making available to the State board and local educational agencies occupational information regarding reasonable prospects of employment; and looking toward guidance and counseling personnel of the State board and local educational agencies making available to public employment offices information regarding the occupational qualifications of persons leaving or completing vocational education courses;

(5) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State under this part.

Definitions of Terms

Sec. 8 For the purposes of this part

(1) The term "vocational education" means vocational or technical training or retraining which is given in schools or classes under public supervision and control or under contract with a State board or local educational agency, and is conducted as part of a program designed to fit individuals for gainful employment as semiskilled or skilled workers or technicians in recognized occupations. Such term includes vocational guidance and counseling in connection with such training, instruction related to the occupation for which the student is being trained, the training of persons engaged as, or preparing to become vocational education teachers, teacher-trainers, supervisors, and directors for such training, travel of students and vocational education personnel, and the acquisition and maintenance and repair of instructional supplies, teaching aids and equipment, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.

(2) The term "area vocational education school" means

(A) a specialized high school used exclusively or principally for the provision of vocational education to persons who are available for full-time study in preparation for entering the labor market, or

(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to persons who are available for full-time study in preparation for entering the labor market, or

(C) a technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market, or

(D) the department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State Board, leading to immediate employment but not leading to a baccalaureate degree.

if it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the case of a school, department, or division described in (C) or (D), it admits as regular students both persons who have completed high school and persons who have left high school.

(School Facilities)

(3) The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in land on which such facilities are constructed.

(Construction)

(4) The term "construction" includes construction of new buildings and expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

ocal Educa-
onal Agency)

(8) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools, or any other public educational institution or agency having administrative control and direction of a vocational education program.

eorge-Barden
Smith-Hughes
Acts

Sec. 10 Notwithstanding anything to the contrary in the George-Barden Act or the Smith-Hughes Act, or in supplementary vocational education acts --

(a) any portion of any amount allotted to any State for any purpose under such acts may be transferred to and combined with one or more of the other allotments of such State under such acts, or under section 3 of this part and used for purposes for which, and subject to the conditions under which, such other allotment may be used, if the State Board requests, in accordance with the regulations of the U.S. Commissioner.

Work-Study
Programs

Sec. 13(a)(1) From sums appropriated for each fiscal year, the U.S. Commissioner shall allot to each State for the purposes of work-study programs an amount which bears the same ratio to the sums so determined for such year as the population aged fifteen to twenty, inclusive, of the State, in the preceding fiscal year bears to the population aged fifteen to twenty, inclusive, of all the States in such preceding year.

Sec. 13(b) To be eligible for participation, a State must submit through the State board for vocational education a supplemental State plan which

(Student
Compensation
Only)

(2) Sets forth the policies and procedures to be followed by the State in approving work-study programs, under which the funds paid to the State will be used solely for the compensation of students;

(Priority of
pplications)

(3) Sets forth the principles for determining the priority to be accorded applications from local educational agencies. These principles shall give preference to applications of local educational agencies serving communities having substantial numbers of youths who have dropped out of school or who are unemployed;

(Fiscal
Accounting)

(4) Sets forth fiscal control and fund accounting procedures.

Program
Criteria
vailability)

Sec. 13(c) A work-study program shall meet the following criteria:

(1) It shall be administered by the local educational agency and made reasonably available to all youths in the area who are eligible;

(Vocational
Education
Students)

(2) Employment shall be furnished only to a student (a) who has been accepted for enrollment as a full-time student in a vocational education program, or in the case of a student already enrolled, is in good standing and in full-time attendance; (b) who is in need of the earnings from such employment to commence or continue his vocational education program; (c) who is at least 15 years of age and less than 21 years of age at the commencement of his employment;

(Maximum
Earnings)

(3) No student shall be employed under such work-study program for more than 15 hours in any week in which classes are in session, or receive compensation exceeding $45 in any month

or $350 in any academic year unless he attends a school not in reasonable commuting distance from his home, in which case compensation may not exceed $60 a month, or $500 in any academic year.

Matching Basis

Sec. 13(e) For fiscal years 1965 and 1966 the payment of Federal funds shall equal 100 percent of State expenditures under its supplementary plan for compensation of students in work-study programs. For fiscal years 1967 and 1968 the payment of Federal funds shall equal 75 percent of the State's expenditures.

Sec. 14 From the total appropriation under this act, the U.S. Commissioner is authorized to make grants to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations, or institutions, for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least 15 years of age and less than 21 years of age at the time of enrollment, who need full-time study on a residential basis. In making grants, the U.S. Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed.

Library Services and Construction
(Public No. 269 - 88th Congress)
Approved February 11, 1964

Full Title

An act to promote the further development of Public Library services.

TITLE I

TITLE I
PUBLIC LIBRARY SERVICES

State Plan

Sec. 103(a) State plan for the further extension of public library services must --

(1) provide for the administration, or supervision of the administration, of the plan by the State library administrative agency;

(3) provide policies and methods of administration to be followed in using any funds made available for expenditure under the State plan, which policies and methods the State library administrative agency certifies will in its judgment assure use of such funds to maximum advantage in the further extension of public library services to areas without such services or with inadequate services;

(4) provide that the State library administrative agency will make such reports as to categories of expenditures made under this Act as the U.S. Commissioner may reasonably require.

Sec. 103(c) The determination of whether library services are inadequate in any area within any State shall be made by the State library administrative agency of such State.

Payments to States

Sec. 104(a) From the allotments available, the U.S. Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 103 an amount computed as provided in subsection (b) of this section, equal to the Federal share of the total sums expended by the State and its political subdivisions under such plan during the period for which such payment was made, except that no payment shall be made to any State from its allotment for any fiscal year unless and until the Commissioner finds that (1) there will be available for expenditure under the plan from State or local sources during the fiscal year for which the allotment is made (A) sums sufficient to enable the State to receive under this section payments in an amount not less than $100,000, and (B) not less than the total amount actually expended, in the areas covered by the plan for such year, for public library services from such sources in the second preceeding fiscal year, and (2) there will be available for expenditure for public library services from State sources during the fiscal year for which the allotment is made not less than the total amount actually expended for public library services from such sources in the second preceding fiscal year.

Computation

Sec. 104(c) For the purposes of this section the "Federal share" for any State shall be 100 per centum less the State percentage and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all the States, except that (1) the Federal share shall in no case be more than 66 per centum or less than 33 per centum.

Sec. 104(d) The "Federal share" for each State shall be promulgated by the U.S. Commissioner between July 1 and August 31 of each even-numbered year, on the basis of the average of the per capita incomes of each of the States and of all of the States, for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation.

imitation on Use of Money

Sec. 104(e) No portion of any money paid to a State under this title shall be applied, directly or indirectly, to the purchase or erection of any building or buildings, or for the purchase of any land.

TITLE II

TITLE II
PUBLIC LIBRARY CONSTRUCTION

Computation of State Allotment

Sec. 202 From the sums appropriated, the U.S. Commissioner shall allot $80,000 to each of the States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States. A State's allotment under this subsection for any fiscal year shall be available for payments with respect to administration during such year and the next fiscal year, and for payments with respect to construction projects approved during such year or the next fiscal year.

State Plans for Construction

Sec. 203(a) A State plan for construction of public libraries must --

(2) set forth criteria and procedures for approval of projects for construction of public library facilities which are designed to insure that facilities will be constructed only to serve areas, as determined by the State library administrative agency, which are without library facilities necessary to develop library services;

(4) provide assurance that all laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality, and shall receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours Standard Act.

Payments to States - Federal Share

Sec. 204(a) From its allotment available therefor under section 202 each State shall be entitled to receive (1) an amount equal to the Federal share of projects approved, during the period for which such allotment is available, under the State plan of such State approved under section 203, and (2) an amount equal to the Federal share of the total of the sums expended by the State and its political subdivision for the administration of such State Plan during the period for which such allotment is available.

TITLE III

TITLE III
INTERLIBRARY COOPERATION

Authorization

Sec. 301 Provides authorization for appropriations for fiscal years 1967-1971, for funds which shall be used for making payments to States which have submitted and had approved State plans for establishing and maintaining local, regional, State or interstate cooperative networks of libraries.

Payments to States - Federal Share

Sec. 303 The Federal share of programs under an approved State plan shall be 100 per centum of the total sums expended under such plan for fiscal 1967, and 50 per centum of such sums for any fiscal year thereafter.

State Plan

Sec. 304(a) To be approved for purposes of this title a State plan must (among other criteria) --

(1) meet the requirements of other paragraphs of section 103(a);

(2) provide policies and objectives for the systematic and effective coordination of resources of school, public, academic, and special libraries and special information centers for improved services of a supplementary nature to the clientele served by each type of library;

Subsections 304(a)(3) through 304(a)(6) list other basic crtieria.

TITLE IV
SPECIALIZED STATE LIBRARY SERVICES

TITLE IV

Sec. 401-410 Provide for assistance for State Institutional Library Services.

Sec. 411-420 Provide for assistance for Library Services to the physically handicapped.

TITLE V

TITLE V
GENERAL

Administration

Sec. 502(a) The U.S. Commissioner shall administer this Act under the supervision and direction of the Secretary of Health, Education and Welfare, and shall, with the approval of the Secretary, prescribe such regulations as may be necessary for the administration of this Act.

Sec. 502(b) The U.S. Commissioner is also authorized to make such studies, investigation, and reports as may be necessary or appropriate to carry out the purposes of this Act.

Definitions

Sec. 504 For the purposes of this Act --

(b) the term "State Library administrative agency" means the official State agency charged by State law with the extension and development of public library services throughout the State;

(c) the term "public library" means a library that serves free all residents of a community, district, or region, and receives its financial support in whole or in part from public funds;

(d) the term "construction" includes construction of new building and expansion, remodeling, and alteration of existing buildings, and initial equipment of any such building; including architects' fees and the cost of tne acquisition of land.

Civil Rights Act
(Public No. 352 - 88th Congress)
Approved July 2, 1964

Full Title

An act to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

TITLE IV

TITLE IV
DESEGREGATION OF PUBLIC EDUCATION

Definitions

Sec. 401(b) "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

Sec. 401(c) "Public school" means any elementary or secondary educational institution, and "public college" means any institution of higher education or any technical or vocational school above the secondary school level, provided that such public school or public college is operated by a State or governmental agency or subdivision therein, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

Sec. 401(d) "School board" means any agency or agencies which administer a system of one or more public schools and any other agency which is responsible for the assignment of students to or within such system.

Technical Assistance

Sec. 403 The U.S. Commissioner of Education is authorized, upon the application of any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools, to render technical assistance to such applicant in the preparation, adoption, and implementation of plans for the desegregation of public schools.

Training Institutes

Sec. 404 The U.S. Commissioner is authorized to arrange, through grants or contracts, with institutions of higher education for the operation of short-term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation. Individuals who attend such an institute on a full-time basis may be paid stipends for the period of their attendance at such institute in amounts specified by the U.S. Commissioner.

Stipends

Grants

Sec. 405(a) The U.S. Commissioner is authorized, upon application of a school board, to make grants to such board to pay, in whole or in part, the cost of:

(1) giving to teachers and other school personnel inservice training in dealing with problems incident to desegregation, and
(2) employing specialists to advise in problems incident to desegregation.

Priority of Approvals for Grants

Sec. 405(b) In determining whether to make a grant, the U.S. Commissioner shall take into consideration the financial condition of the applicant and the other resources available to it; the nature, extent, and gravity of its problems incident to desegregation; and other factors as he finds relevant.

Sec. 410 Nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion, or natural origin.

TITLE VI

TITLE VI
NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Purpose

Sec. 601 No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Rules Governing Grants Loans and Contracts

Sec. 602 Each Federal department and agency which is empowered to extend federal financial assistance to any program or activity, by way of grant, loan, or contract, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on record, or (2) by any other means authorized by law.

Employment Practices

Sec. 604 Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the federal financial assistance is to provide employment.

Economic Opportunity Act
(Public No. 452, 88th Congress)
Approved August 20, 1964

Full Title

An act to mobilize the human and financial resources of the Nation to combat proverty in the United States.

TITLE I

TITLE I
WORK TRAINING AND WORK STUDY PROGRAMS

Part A - Job Corps

Purpose (Residential Centers)

Sec. 101 The purpose of this part is to prepare for the responsibilities of citizenship and to increase the employability of young men and young women aged sixteen through twenty-one by providing them in rural and urban residential centers with education, vocational training, useful work experience, and other appropriate activities.

Establishment of Job Corps

Sec. 102 In order to carry out the purposes of this part, there is hereby established within the Office of Economic Opportunity, a Job Corps.

Job Corps Programs

Sec. 103 The Director of the Office (hereinafter referred to as the "Director") is authorized to:

Conservation Camps

Sec. 103(a) Enter into agreements with any Federal, State, or local agency or private organization for the establishment and operation, in rural and urban areas, of conservation camps and training centers and for the provision of such facilities and services as in his judgment are needed to carry out the purposes of this part;

Education and Vocational Training

Sec. 103(b) Arrange for the provision of education and vocational training of enrollees in the Corps: Provided, That, where practicable, such programs may be provided through local public educational agencies or by private vocational educational institutions or technical institutes where such institutions or institutes can provide substantially equivalent training at comparable costs; provided, that to the extent feasible opportunities are provided for enrollees to obtain education necessary to qualify them for equivalent of certificate of graduation from high school.

Work Experience

Sec. 103(c) Provide or arrange for the provision of programs of useful work experience and other appropriate activities for enrollees.

State-Operated Youth Camps

Sec. 108 The Director is authorized to enter into agreements with States to assist in the operation or administration of State-operated programs which carry out the purpose of this part. The Director may, pursuant to such regulations as he may adopt, pay part or all of the operative or administrative costs of such programs.

Submission of Plans for Conservation Camps

Sec. 109 In carrying out the provisions of Part A of this title no conservation camp, training center or other similar facility designed to carry out the purposes of this Act, shall be established within a State unless a plan setting forth such proposed establishment has been submitted to the Governor of the State and such plan has not been disapproved by him within thrity days of such submission.

Part B - Work-Training Programs

Purpose-Unemployed Youth, Work Experience Opportunities

Sec. 111 The purpose of this part is to provide useful work experience opportunities for unemployed young men and young women, through participation in State and community work-training programs, so that their employability may be increased or their education resumed or continued and so that public agencies and private nonprofit organizations (other than political parties) will be enabled to carry out programs which will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation and development of natural resources and recreational areas.

Cooperation with States in Development of Program

Sec. 112 In order to carry out the purposes of this part, the Director shall assist and cooperate with State and local agencies and private nonprofit organizations in developing programs for the employment of young people in State and community activities hereinafter authorized, which, whenever appropriate, shall be coordinated with programs of training and education provided by local public educational agencies.

Federal Payments

Sec. 113(a) The Director is authorized to enter into agreements providing for the payment by him of part or all of the cost of a State or local program submitted hereunder if he determines, in accordance with such regulations as he may prescribe, that-

Conditions

(1) enrollees in the program will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(2) the program will increase the employability of the enrollees by providing work experience and training in occupational skills or reasonable expectation of employment, or will enable student enrollees to resume or to maintain school attendance;

(3) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided;

(4) the program will not result in the displacement of employed workers or impair existing contracts for services;

(5) the rates of pay and other conditions of employment will be appropriate and reasonable;

(6) to the maximum extent feasible, the program will be coordinated with vocational training and educational services adapted to the special needs of enrollees in such program and sponsored by State or local public educational agencies: Provided, however, that where such services are inadequate or unavailable, the program may make provision for the enlargement, improvement, development, and coordination of such services with the cooperation of, or where appropriate pursuant to agreement with, the Secretary of Health, Education and Welfare.

Eligibility to Participate

Sec. 114(a) Enrollment in programs under this part shall be limited to young men and women who are permanent residents of the United States.

Sec. 114(b) Enrollees shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

Federal Employment Laws, Non-applicability

Sec. 114 (c) Where appropriate to carry out the purposes of this Act, the Director may provide for testing, counseling, job development, and referral services to youths through public agencies for private organizations.

Testing, Counseling, etc.

Sec. 115 Federal assistance to any program pursuant to this part shall not exceed 90 per centum of the costs of such program, including costs of administration. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

Limitations on Federal Assistance

Sec. 116 The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part among the States. In developing such criteria, he shall consider among other relevant factors the ratios of population, unemployment, and family income level. Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this part shall be used within any one State.

Equitable Distribution of Assistance

Part C - Work-Study Programs

Sec. 121 The purpose of this part is to stimulate and promote the part-time employment of students, particiularly students from low-income families, in institutions of higher education who are in need of the earnings from such employment to pursue courses of study at such institutions.

Purpose - Student, Part-time Employment

Part D - Special Impact Programs

Sec. 131 The purpose of this part is to establish special programs which (1) are directed to solution of critical problems existing in particular neighborhoods within urban areas having especially large concentrations of low-income persons; (2) are sufficient size and scape to have appreciable impact in arresting these problems; (3) are, where feasible part of a citywide plan for reorganization of agencies in order to coordinate relevant programs of social development.

Purpose Training and Employment in Urban Areas

TITLE II
URBAN AND RURAL COMMUNITY ACTION PROGRAMS

TITLE II

Part A - General Community Action Programs

Sec. 201 The purpose of of this part is to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat proverty through community action programs.

Purpose

Sec. 202(a) The term "community action program" means a program --

(1) which mobilizes and utilizes in an attack on poverty, resources, public or private, or any urban or rural, or combined urban and rural, geographical area (referred to in this part as a "community"), including but not limited to a State, metropolitan area, county, city, town, multicity unit, or multi-county unit or any neighborhood or other area (irrespective of boundaries or political subdivision) which is sufficiently

Definition

homogeneous in character to be an appropriate area for an attack on poverty;

(2) which provides services, assistance, and other activities of sufficient scope and size to give promise of progress toward elimination of poverty through developing employment opportunities, improving human performance, motivation, and productivity, or bettering the conditions under which people live, learn, and work;

(3) which is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups served; and

(4) which is conducted, administered, or coordinated by a public or private nonprofit agency (other than a political party), or a combination thereof.

Representatives of the Poor on Boards

Sec. 202(c)(1) through (d) The Director shall not approve, or continue to fund after March 1, 1967, community action programs coordinated by a board, the representatives of which are not required to live in the area they represent, or on which representatives of the poor do not comprise at least one-third of the membership.

Allotments to States

Sec. 203(a) From the sums appropriated to carry out this title for a fiscal year, the Director shall reserve the amount needed for carrying out sections 204 and 205. Twenty per centum of the amount so reserved shall be allotted among the States as the Director shall determine. The remainder of the sums so reserved shall be allotted among the States as provided in subsection(b).

Formula or Allotment

Sec. 203(b) Of the sums being allotted under this subsection --

(1) one-third shall be allotted by the Director among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of public assistance recipients in such State (as determined on the base of the latest appropriate data) bears to the total number of public assistance recipients in all the States (as so determined);

(2) one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the annual average number of persons unemployed in such State (as determined on the basis of the latest appropriate data) bears to the annual average number of persons unemployed in all the States (as so determined) and

(3) the remaining one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under 18 years of age living in families with incomes of less than $1,000 in such State bears to the number of related children under 18 years of age living in families with incomes of less than $1,000 in all the States.

Financial Assistance for Development of Programs

Sec. 204 The Director is authorized to make grants to, or to contract with, appropriate public or private nonprofit agencies, or combinations thereof, to pay part or all of the costs of development of community action programs.

Financial Assistance for Conduct and Administration of Community Action Programs

Sec. 205(a) The Director is authorized make grants to, or to contract with, public or private nonprofit agencies, to pay part or all of the costs of community action programs which have been approved by him pursuant to this part, including the cost of carrying out programs which are components of a community action program and which are designed to achieve the purposes of this part. Such component programs shall be focused upon the needs of low-income individuals and families and shall provide expanded and improved services, assistance, and other activities and facilities necessary in connection therewith. Such programs shall be conducted in those fields which fall within the purposes of this part including employment, job training and counseling, health, vocational rehabilitation, housing, home management, welfare, and special remedial and other noncurricular educational assistance for the benefit of low-income individuals and families.

Restriction on General Aid

Sec. 205(b) No grant or contract authorized under this part may provide for general aid to elementary or secondary education in any school or school system.

Factors Determining Assistance Eligibility

Sec. 205(c) In determining whether to extend assistance under this section the Director shall consider among other relevant factors the incidence of poverty within the community and within the areas or groups to be affected by the specific program or programs, and the extent to which the applicant is in a position to utilize efficiently and expeditiously the assistance for which application is made.

Adult Work Training and Employment

Sec. 205(e) The Director is authorized to make grants or enter into agreements with any State or local agency or private organization to pay all or part of the costs of adult work training and employment programs for unemployed or low-income persons involving activities designed to improve the physical, social, economic, or cultural condition of the community or area served infields including, but not limited to, health, edcuation, welfare, neighborhood redevelopment, and public safety.

Technical Assistance and Small Loans

Sec. 206(a) The Director is authorized to provide, either directly or through grants or other arrangement, (1) technical assistance to communities in developing, conducting, and administering community action programs, and (2) training for specialized personnel needed to develop, conduct, or administer such programs or to provide services or other assistance thereunder.

Sec. 206(b) The Director is authorized to make small loans to persons in low-income families to meet immediate and urgent needs. The outstanding balance to any person at any time under this section shall not exceed $300. Repayment subject to conditions set forth by Director.

Research, and Demonstrations

Sec. 207 The Director is authorized to conduct, or to make grants to or enter into contracts with institutions of higher education or other appropriate public agencies or private organizations for the conduct, of research, and demonstrations pertaining to the purposes of this part. Expenditures under this section in any fiscal year shall not exceed 5 per centum of the sums appropriated or allocated for such year to carry out the purposes of this part.

Limitations on Federal Assistance

Sec. 208(a) Assistance pursuant to sections 204 and 205 paid for the period ending June 30, 1967, shall not exceed 90 per centum of the costs referred to in those sections, respectively, and thereafter shall not exceed 80 per centum of such costs. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

Participation of State Agencies

Sec. 209(a) The Director shall establish procedures which will facilitate effective participation of the States in community action programs.

Grant or Contract Authority

Sec. 209(b) The Director is authorized to make grants to, or to contract with, appropriate State agencies for the payment of the expenses of such agencies in providing technical assistance to communities in developing, conducting, and administering community action programs.

Submission of Plans

Sec. 209(c) In carrying out the provisions of Title I and Title II of this Act, no contract, agreement, grant, loan, or other assistance shall be made with, or provided to, any State or local public agency or any private institution or organization for the purpose of carrying out any program, project, or other activity within a State unless a plan setting forth such proposed contract, agreement, grant, loan, or other assistance has been submitted to the Governor of the State, and such plan has not been disapproved by him within thirty days of such submission: Provided, however, that this section shall not apply to contracts, agreements, grants, loans, or other assistance to any institution of higher education in existence on the date of the approval of this Act.

Private Institutions

Sec. 209(d) No private institution or organization shall be eligible for participation under this part unless it (1) is itself an institution or organization which has, prior to its consideration for such participation, had a concern with problems of poverty, or (2) is sponsored by one or more such institutions or organizations or by a public agency, or (3) is an institution of high education.

Equitable Distribution of Assistance

Sec. 210 The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part within the States between urban and rural areas.

Headstart and Legal Services

Sec. 211-1(a) In carrying out section 204 and 205, the Director shall carry out programs eligible for assistance under such sections which assist young children who have not reached the age of compulsory school attendance and which include (1) the furnishing of such comprehensive health, nutritional, social, educational, and mental health services as the Director finds will aid such children to attain their greatest potential, (2) the provision of appropriate activities to encourage the participation of parents of such children and the effective use of their services, and (3) such other training, technical assistance, evaluation, and follow-through activities as may be necessary or appropriate.

Sec. 211-1(b) In carrying out sections 204 and 205, the Director, shall carry out programs eligible for assistance under such sections, which provide legal advice and legal representation to persons when they are unable to afford the services of a private attorney, together with legal research and information as appropriate to mobilize the assistance of lawyers or legal institutions, or combinations thereof, to further the cause of justice among persons living in poverty: Provided, that the Director shall establish procedures to assure that the principal local bar associations in the area to be served by any proposed program of legal advice and representation are afforded an adequate opportunity to review the proposed program and to submit comments and recommendations thereon before such program is approved or funded.

Comprehensive Health Services

Sec. 211-2(a) The Director is authorized to make grants to, or to contract with, public or private nonprofit agencies in order to provide assistance necessary for the development and implementation of comprehensive health service programs focused upon the needs of persons residing in urban or rural areas having high concentrations of poverty and a marked inadequacy of health services.

Part C - Voluntary Assistance Program for Needy Children

Purpose

Sec. 219 The purpose of this part is to allow individual Americans to participate in a personal way in the way on poverty, by voluntarily assisting in the support of one or more needy children, in a program coordinated with city or county welfare agencies.

Authority to Establish Information

Sec. 220(a) In order to carry out the purposes of this part, the Director is authorized to establish a section within the Office of Economic Opportunity to act as an information and coordination center to encourage voluntary assistance for deserving and needy children. Such section shall collect the names of persons who voluntarily desire to assist financially such children and shall secure from city or county social welfare agencies such information concerning deserving and needy children as the Director shall deem appropriate.

TITLE III

TITLE III
SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

Purpose

Sec. 301 It is the purpose of this title to meet some of the special problems of rural poverty and thereby to raise and maintain the income and living standards of low-income rural families and migrant agricultural employees and their families.

Part A - Authority to Make Grants and Loans

Sec. 302(a) The Director is authorized to make --

(1) loans having maximum maturity of 15 years and in amounts not resulting in an aggregate indebtedness of more than $3,500 at any one time to any low income rural family where such loans have a reasonable possibility of effecting a permanent increase in the income of such families.

Part B - Assistance for Migrant, and Other Seasonally Employed Agricultural Employees and Their Families

Sec. 311 The Director shall develop and implement as soon as practicle a program to assist the States, political subdivisions of States, public and nonprofit agencies, institutions, organizations, farm associations, or individuals in establishing and operating programs of assistance for migrant, and other seasonally employed, agricultural employees and their families which programs shall be limited to housing, sanitation, education, and day care of children. Institutions, organizations, farm associations, or individuals shall be limited to direct loans.

TITLE IV

TITLE IV
EMPLOYMENT AND INVESTMENT INCENTIVES

Small Business Concerns, Assistance

Sec. 401 It is the purpose of this title to assist in the establishment preservation, and strengthening of small business concerns and to improve the managerial skills employed in such enterprises; and to mobilize for these objectives private as well as public managerial skills and resources.

TITLE V

TITLE V
WORK EXPERIENCE AND TRAINING PROGRAMS

Purpose

Sec. 501 It is the purpose of this title to expand the opportunities for constructive work experience and other needed training available to persons including workers in farm families with less than $1200 net family income, and unemployed heads of families, who are unable to support themselves or their families. In carrying out this purpose, the Director shall make maximum use of the programs available under the Manpower Development and Training Act of 1962, as amended, and Vocational Education Act of 1963.

Sec. 502 In order to stimulate the adoption of programs designed to help unemployed fathers and other needy persons to secure and retain employment or to attain or retain capability for self-support or personal independance, the Director is authorized to transfer funds appropriated or allocated to carry out the purposes of this title to the Secretary of Health, Education, and Welfare to enable him to make payments for experimental, pilot, or demonstration projects.

TITLE VI

TITLE VI
ADMINISTRATION AND COORDINATION

Part A - Administration

Office of Economic Opportunity

Sec. 601(a) There is hereby established in the Executive Office of the President the Office of Economic Opportunity. The Office shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

TITLE VIII
VOLUNTEERS IN SERVICE TO AMERICA

Purpose of Title

Sec. 801 It is the purpose of this title to enable and encourage volunteers to participate in a personal way in the war on poverty, by living and working among deprived people of all ages in urban areas, rural communities, on Indian reservations, in migrant worker camps, and Job Corps camps and centers; to stimulate develop and coordinate programs of volunteer training and service; and, through such programs, to encourage individuals from all walks of life to make a commitment to combating poverty in their home communities, both as volunteers and as members of the helping professions.

Volunteers in Service to America

Sec. 802(a) The Director is authorized to recruit, select, train, and--

(1) upon request of State or local agencies or private nonprofit organizations, refer volunteers to perform duties in furtherance of programs combating poverty at a State or local level; and

(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families; (B) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at nonprofit mental health or mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in furtherance of programs or activities authorized or supported under Title I or II of this Act.

Pay and Allowances

Sec. 803 The Director is authorized to provide to all volunteers during training and to volunteers assigned pursuant to subsection(a)(2) such stipend, not to exceed $50 per month, such living, travel, and leave allowances, and such housing, transportation (including travel to and from the place of training), supplies, equipment, subsistence, clothing, and health and dental care as the Director may deem necessary or appropriate for their needs.

Prohibition of Federal Control

Sec. 614 Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

Appalachian Regional Development Act
(Public No. 4-89th Congress)
Approved March 9, 1965

Full Title

An act to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

Purpose of Act

Sec. 2 It is the purpose of this Act to assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis.

TITLE I
THE APPALACHIAN REGIONAL COMMISSION

Establishment of Commission

Sec. 101(a) There is hereby established an Appalachian Regional Commission which shall be composed of one Federal member and one member from each participating State in the Appalachian region.

Sec. 102 In carrying out the purposes of this Act, the Commissioner shall --

(1) develop comprehensive and coordinated plans and programs and establish priorities thereunder;
(2) conduct and sponsor investigations, research, and studies;
(3) review and study, in cooperation with the agency involved, Federal, State, and local public and private programs;
(9) advise the U.S. Secretary of Commerce on applications for grants for administrative expenses to local development districts.

TITLE II
SPECIAL APPALACHIAN PROGRAMS

Part B - Supplementations and Modifications of Existing Programs

Construction of Vocational Education Facilities

Sec. 211(a) In order to provide basic facilities to give the people of the region the training and education they need to obtain employment, the Secretary of Health, Education, and Welfare is authorized to make grants for construction of the school facilities needed for the provision of vocational education in areas of the region in which such education is not now adequately available. Such grants shall be made in accordance with the provisions of the Vocational Education Act of 1963, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

Supplements to Federal Grant-in-Aid Programs

Sec. 214(a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the U.S. Secretary of Commerce is authorized, pursuant to specific recommendations of the U.S. Commission approved by him and after consultation with the appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs. Funds so allocated shall be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such project otherwise authorized by the applicable law. Funds shall be so allocated for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Such allocations shall be available without regard to any appropriation authorization ceilings in such Act.

Reduction of Matching Requirements

Sec. 214(b) The Federal portion of such costs shall not be increased in excess of the percentages established by regulations promulgated by the Secretary of Commerce, and such regulations shall in no event authorize the Federal portion of such costs to exceed 80 per centum thereof.

Federal Grant-in-Aid Programs

Sec. 214(c) The term "Federal grant-in-aid programs" as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before the effective date of this Act by Acts other than this Act for the acquisition of land and the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Vocational Education Act of 1963; Library Services Act; National Defense Education Act of 1958.

Part C - General Provisions

Maintenance of Effort

Sec. 221 No State and no political subdivision of such State shall be eligible to receive benefits under this Act unless the aggregate expenditures of State funds, exclusive of Federal funds, for the benefit of the area within the State located in the region are maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this Act.

Consent of States

Sec. 222 Nothing contained in this Act shall be interpreted as requiring any State to engage in or accept any program under this Act without its consent.

Program Implementation

Sec. 223 A program and projects authorized under any section of this title shall not be implemented until (1) the Commission has consulted with the appropriate official or officials concerned with such program and projects as may be designated by the Governor or Governors of the State or States involved and has obtained the recommendations of such official or officials with respect to such program and projects and

(2) plans with respect to such program and projects have been recommended by the Commission and have been submitted to and approved or modified by the President or such Federal officer or officers as the President may designate.

Program Development Criteria

Sec. 224(a) In developing recommendations on the programs and projects to be given assistance under this Act, and in establishing within those recommendations a priority ranking of the requests for assistance presented to the Commission, the Commission shall follow procedures that will insure consideration of the following factors:

(1) the relationship of the project or class of projects to overall regional development including its location in an area determined by the State have a significant potential for growth;
(2) the population and area to be served by the project or class of projects including the relative per capita income and the unemployment rates in the area;
(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;
(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;
(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

TITLE III
ADMINISTRATION

TITLE III

Local Development Districts - Certification

Sec. 301 For the purposes of this Act, a "local development district" shall be an entity certified to the Commission either by the Governor of the State or States in which such entity is located, or by the State officer designated by the appropriate State law to make such certification, as having a charter of authority that includes the economic development of counties or parts of counties or other political subdivisions within the region. No entity shall be certified as a local development district for the purposes of this Act unless it is one of the following:

(1) a nonprofit incorporated body organized or chartered under the law of the State in which it is located;
(2) a nonprofit agency or instrumentality of a State or local government;
(3) a nonprofit agency or instrumentality created through an interstate compact; or
(4) a nonprofit association or combination of such bodies, agencies, and instrumentalities.

Grants for Administrative Expenses and Research and Demonstration Projects

Sec. 302(a) The Secretary of Commerce is authorized--

(1) either directly or through arrangements with the Commission, to make grants for administrative expenses to local development districts. The amount of any such grant shall not exceed 75 per centum of such expenses in any one fiscal year. No grants for administrative expenses shall be made to a local

development district for a period in excess of three years beginning on the date the initial grant is made to such development district. The local contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

(2) either directly or through arrangements with appropriate public or private organizations (including the Commission), to provide funds for investigation, research, studies, and demonstration projects, but not for construction purposes, which will further the purposes of this Act.

Project Approval

Sec. 303 An application for a grant or for any other assistance for a program or project under this Act shall be made only by a State, a political subdivision of a State, or a local development district. Each such application shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate such application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance by the Commission.

TITLE IV

TITLE IV
MISCELLANEOUS PROVISIONS

Definition of Appalachian Region

Sec. 403 As used in this Act, the term "Appalachian region" or "the region" means that area of the eastern United States consisting of the following counties (including any political subdivision located within such area):

In Alabama, the counties (as listed in Act)
In Georgia, the counties (as listed in Act)
In Kentucky, the counties (as listed in Act)
In Maryland, the counties (as listed in Act)
In North Carolina, the counties (as listed in Act)
In Ohio, the counties (as listed in Act)
In Pennsylvania, the counties (as listed in Act)
In South Carolina, the counties (as listed in Act)
In Tennessee, the counties (as listed in Act)
In Virginia, the counties (as listed in Act)
All the counties of West Virginia:

Provided, That the Commission is hereby authorized and directed to study and consider, in consultation with the Governor of the State of New York or an appropriate official or officials designated by him, the inclusion of such counties of the State of New York as are contiguous to the Appalachian region as defined in this section and counties contiguous thereto in the Appalachian region for the purposes of this Act; and if the Commission shall decide after such consultation, that these counties share the social and economic characteristics of the region, and that the inclusion of these counties would further the purposes of this Act, then the Commission is authorized and directed to invite the State of New York to participate in the Commission on an appropriate basis: Provided further, That the Commission may extend the invitation to the State of New York for inclusion of such of the described counties the inclusion of which would further the purposes of the Act: And provided further, That if such invitation is duly accepted by the State of New York, those counties shall be included in "the region" or "the Appalachian region" for the purposes of this Act.

Elementary and Secondary Education Act
(Public No. 10, 89th Congress)
Approved April 11, 1965

Full Title

An act to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

TITLE I

FINANCIAL ASSISTANCE FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES

Special Note

Title I of this act is an amendment of P.L. 874 and becomes Title II under P.L. 874. Amendments approved November 3, 1966, allows this title to be cited as "Title I of the Elementary and Secondary Education Act of 1965."

Declaration of Policy

Sec. 201 In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means (including pre-school programs) which contribute particularly to meeting the special educational needs of educationally deprived children.

Kind and Duration of Grants

Sec. 202 The U.S. Commissioner shall, in accordance with the provisions of this title, make provisions of this title, make payments to State educational agencies for basic grants to local educational agencies for the period beginning July 1, 1965, and ending June 30, 1968.

Maximum Basic Grant to Local Agency

Sec. 203(a)(2) In any case in which the U.S. Commissioner determines that satisfactory data for that purpose are available, the maximum basic grant which a local educational agency in a State shall be eligible to receive under this title for any fiscal year shall be (except as provided in paragraph (3)) an amount equal to the Federal percentage of the average per pupil expenditure in that State or, if greater, in the limited States multiplied by the number of children in the school district of such agency who are aged five to seventeen, inclusive, and are (A) in families having an annual income of less than the low-income factor (established pursuant to subsection (c)), (B) in families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c) from payments under the program of aid to families with dependent children under a State plan approved under Title IV of the Social Security Act, or (C) living in institutions for neglected or delinquent children but not counted pursuant to paragraph (5) of this subsection for the purpose of a grant to a State agency, or being supported in foster homes with public funds. In any other case, the maximum basic grant for any local educational agency in a State shall be determined on the basis of the aggregate maximum amount of such grants for all such agencies in the county or counties in which the school district of the particular agency is located, which aggregate maximum amount shall be equal to the Federal percentage of such per pupil expenditure multiplied by the number of children of such ages in such county or counties who are descrived in clause (A), (B), or (C) of the pervious sentence, and shall be allocated among those agencies upon such equitable basis as may be determined by the State educational agency in accordance with basis criteria prescribed by the U.S. Commissioner. For purposes of this subsection the 'average per pupil expenditure' in a State or in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State (without regard to the sources of funds from which such expenditures are made), or in the United States, as the case may be, plus any direct current expenditure by the State for operation of such agencies, divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year. In determining the maximum amount of a basic grant and the eligibility of a local educational agency for a basic grant for any fiscal year, the number of children determined under the first two sentences of this subsection or under subsection (b) shall be reduced by the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor for whom a payment was made under Title I of P.L. 874 for the previous fiscal year.

Ceiling or Maximum Grant

Sec. 203(a)(3)(A) If the maximum amount of the basic grant determined pursuant to paragraph (1) or (2) for any local educational agency for the fiscal year ending June 30, 1967, is greater that 50 per centum of the sum budgeted by that agency for current expenditures for that year, such maximum amount shall be reduced to 50 per centum of such budgeted sum.

Sec. 203(a)(3)(B) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title.

Grants for Educating Migratory Children

Sec. 203(a)(6) A State educational agency, which has an application approv under section 205(c) for any fiscal year, is entitled to receive a grant for that year for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants for any State for any fiscal year shall be equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalen of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined.

Determination of Eligibility for Basic Grant

Sec. 203(b) A local educational agency shall be eligible for a basic grant for a fiscal year under this title only if it meets the following requirements with respect to the number of children aged five to seventeen, inclusive, described in clauses (A), (B), and (C) of first sentence of paragraph 2 of subsection (a):

Sec. 203(b)(1) In any case (except as provided in paragraph (3)) in which the Commissioner determines that satisfactory data for the purpose of this subsection as to the number of such children are available on a school district basis, the number of such children in the school district of such local educational agency shall be at least ten.

Sec. 203(b)(2) In any other case, except as provided in paragraph (3), the number of such children in the county which includes such local educational agency's school district shall be at least ten.

Sec. 203(b)(3) In any case in which a county includes a part of the school district of the local educational agency concerned and the Commissioner has not determined that satisfactory data for the purpose of this subsection are available on a school district basis for all the local educational agencies for all the counties into which the school district of the local educational agency concerned extends, the eligibility requirement with respect to the number of such children.

Federal Percentage

Sec. 203(c) The 'Federal percentage' and the 'low-income factor' shall be 50 percentum and $2,000 respectively for fiscal year ending June 30, 1966 and fiscal year ending June 30, 1967. For fiscal year ending June 30, 1968, the 'Federal percentage' and 'low-income' factor shall be 50 per centum and $3,000 respectively.

Sec. 203(d) The U.S. Commissioner shall determine the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a county are available in the Department of Commerce, such data shall be used in making calculations under this section. The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under Title IV of the Social Security Act and the number of children of such ages living in institutions for neglected for deliquent children of being supported in foster homes with public funds on the basis of the latest calendar of fiscal year data whichever is later. When requested by the Commissioner, the Secretary of Commerce shall make a special estimate of the number of children of such ages who are from families having an annual income less than the low-income factor in each county or school district, and the Commissioner is authorized to pay the Secretary of Commerce the cost of making this special estimate. The Secretary of Commerce shall give consideration to any request of the chief executive of a State for the collection of additional census information.

Application

Sec. 205(a) A local educational agency may receive a basic grant under this title for any fiscal year only upon application therefore approved by the appropriate State educational agency, upon its determination --

Programs and Projects for Educationally Deprived Children

Sec. 205(a)(1) That payments under this title will be used for programs and projects including the acquisition of equipment, and where necessary, the construction of school facilities and plans made or to be made for such program, projects and facilities. (A) which are designed to meet the special educational needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families and (B) which are of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting those needs, and to this end involve an expenditure of not less than $2,500, except under special conditions considered by State Educational Agencies, and nothing herein shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title provided, that the amount used for plans for any fiscal year shall not exceed 1 per centum of the maximum amount determined for that agency for that year pursuant to section 203 or 2,000 whichever is greater.

Special Provisions for Private School Children

Sec. 205(a)(2) That, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and equipment) in which such children can participate;

Administration by Public Agency

Sec. 205(a)(3) That the local educational agency has provided satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property;

Construction of School Facilities

Sec. 205(a)(4) In the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 209 will be complied with on all such construction projects;

Planning Grants

Sec. 205(a)(5) That in the case of an application for a planning grant, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project will be carried out under this title, and (B) that planning funds are needed because of innovative nature of the program or because the local educational agency lacks the resources necessary to plan adequately for programs under this title.

Evaluation

Sec. 205(a)(6) That effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of educationally deprived children.

Sec. 205(a)(7) That the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this title, including information relating to the educational achievement of students participating in programs carried out under this title, and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports;

Reports to State Educational Agency

Sec. 205(a)(8) That wherever there is, in the area served by the local educational agency, a community action program approved pursuant to Title II of the Economic Opportunity Act of 1964, the programs and projects have been developed in cooperation with the public or private nonprofit agency responsible for the community action program; and

Cooperation with Community Action Programs

Sec. 205(a)(9) That effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;

Dissemination of Information

Sec. 205(c)(1) A State educational agency (or combination thereof) may apply for a grant under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural works, The Commissioner may approve such an application upon his determination that (A) payments will be for programs designed to meet special educational needs of migratory children and (B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under Title IIIB of the Economic Opportunity Act of 1964.

State Plan-Migratory Program

Sec. 206(a) Any State desiring to participate under title (except with respect to the program described in Section 205(c) relating to migratory children) shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance --

Assurance from State

Sec. 206(a)(1) That payments under this title will be used only for programs and projects which have been approved by the State educational agency pursuant to section 205(a) and which meet the applicable requirements of that section, and that such agency will in all other respects comply with the provisions of this title, including the enforcement of any obligations imposed upon a local educational agency under section 205(a);

Programs Purposes Achieved

Sec. 206(a)(2) That such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this title.

Fiscal Accountability

Payment by State to Local Agency

Sec. 207(a)(2) Each State educational agency shall distribute to each local educational agency of the State which is not ineligible by reason of section 203(b) and which has submitted an application approved pursuant to section 205(a) the amount for which such application has been approved, except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203.

Maintenance of State Effort

Sec. 207(c)(1) No payments shall be made under this title for any fiscal year to a State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

Maintenance of Local Effort

Sec. 207(c)(2) No payments shall be made under this title to any local educational agency for any fiscal year unless the State educational agency finds that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year.

Labor Standards

Sec. 209 All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor.

National Advisory Council

Sec. 212(a) The President shall, within ninety days after the enactment of this title, appoint a National Advisory Council on the Education of Disadvantaged Children for the purpose of reviewing the administration and operation of this title, including its effectiveness in improving the educational attainment of educationally deprived children, and making recommendations for the improvement of this title and its administration and operation. The Council shall make an annual report of its findings and recommendation to the President and Congress not later than January 31 of each calendar year.

Definitions (construction)

Sec. 4(e)(12) The term "construction" includes the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

(school facilities)

Sec. 4(e)(13) The term "school facilities" means classrooms and related facilities (including initial equipment) for free public education and interests in land (including site, grading, and improvements) on which such facilities are constructed, except that such term does not include those gymnasiums and similar facilities intended primarily for exhibitions for which admission is to be charged to the general public.

Sec. 4(e)(14) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials. **(equipment)**

Sec. 4(e)(15) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law, and the term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12. **(elementary and secondary school)**

TITLE II

TITLE II

SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

Appropriations Authorized

Sec. 201(a) The U.S. Commissioner shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program for making grants for the acquisition of school library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary school.

Allotment to States

Sec. 202(a) From the sums appropriated for carrying out this title for any fiscal year, the U.S. Commissioner shall allot to each State an amount which bears the same ratio to such appropriation as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

State Plans

Sec. 203(a) Any State which desires to receive grants under this title shall submit to the Commissioner a State plan, in such detail as the Commissioner seems necessary, which --

Identification of Purposes of Expenditure

Sec. 203(a)(2) Sets forth a program under which funds paid to the State from its allotment under section 202 will be expended solely for (A) acquisition of library resources (which for the purposes of this title means books, periodicals, documents, audio-visual materials, and other related library materials), textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools in the State;

Criteria for Allocation of Materials

Sec. 203(a)(3) Sets forth the criteria to be used in allocating library resources, textbooks, and other printed and published instructional materials provided under this title among the children and teachers of the State, which criteria shall --

(A) take into consideration the relative need of the children and teachers of the State for such library resources, textbooks, or other instructional materials, and

(B) provide assurance that to the extent consistent with law such library resources, textbooks, and other instructional materials will be provided on an equitable basis for the use of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State;

(C) provide assurance that, in order to secure the effective and efficient use of Federal funds, there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and program (if any) carried out under the Library Services and Construction Act.

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Materials

Sec. 203(a)(4) Sets forth the criteria to be used in selecting the library resources, textbooks, and other instructional materials to be provided under this title and for determining the proportions of the State's allotment for each fiscal year which will be expended for library resources, textbooks, and other printed and published instructional materials, respectively, and the terms by which such library resources, textbooks, and other instructional materials will be made available for the use of children and teachers in the schools of the State;

aintenance
of Effort

Sec. 203(a)(5) Sets forth policies and procedures designed to assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of State, local, and private school funds that would in the absence of such Federal funds be made available for library resources textbooks, and other printed and published instructional materials, and in no case supplant such State, local, and private school funds;

Fiscal
Accountability

Sec. 203(a)(6) Sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this title.

Library
Materials

Sec. 205(a) Title to library resources, textbooks, and other printed and published instructional materials furnished pursuant to this title and control and administration of their use, shall vest only in a public agency.

Sec. 205(b) The library resources, textbooks, and other printed and published instructional materials made available pursuant to this title for use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational authority or agency for use, or, are used, in a public elementary or secondary school of that State.

TITLE III

TITLE III

SUPPLEMENTARY EDUCATIONAL
CENTERS AND SERVICES

Appropriations
Authorized

Sec. 201(a) The U.S. Commissioner shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

Apportionment Among States

Sec. 302(a) From the sums appropriated for carrying out this title for each fiscal year, the U.S. Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

(1) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

(2) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

Carry-over of Funds

Sec. 302(c) The amount apportioned under this section to any State for the fiscal year ending June 30, 1966, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year.

Uses of Federal Funds

Sec. 303 Grants under this title may be used, in accordance with applications approved under section 304(b), for --

Development of Programs

Sec. 303(a) Planning for and taking other steps leading to the development of programs designed to provide supplementary educational activities and services described in paragraph (b), including pilot projects designed to test the effectiveness of plans so developed; and

Establishment and Operation of Programs

Sec. 303(b) The establishment, maintenance, and operation of programs, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing supplementary educational services and activities such as --

(1) comprehensive guidance and counseling, remedial instruction, and school health, physical education, recreation, psychological, and social work services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

(2) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

(3) developing and conducting exemplary educational programs, including dual-enrollment programs, for the purpose of stimulating the adoption of improved or new educational programs;

(4) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

(5) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis to public and other nonprofit schools, organizations, and institutions;

(6) developing, producing, and transmitting radio and television programs for classroom and other educational use;

(7) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, and visiting teachers' programs; and

(8) other specially designed educational programs which meet the purposes of this title.

plications for Grants and Conditions for Approval

Sec. 304(a) A grant under this title for a program of supplementary educational services may be made to a local educational agency or agencies, but only if there is satisfactory assurance that in the planning of that program there has been, and in the establishing and carrying out of that program there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. For the purposes of this section, the term "cultural and educational resources" includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the U. S. Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall --

Administration

Sec. 304(a)(1) Provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

Maintenance of Local Effort

Sec. 304(a)(3) Set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant;

Construction

Sec. 304(a)(4) In the case of an application for assistance under this title which includes a project for construction of necessary facilities, provide satisfactory assurance (A) that reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities, (B) that upon completion of the construction title to the facilities will be in a State or local educational agency;

Fiscal Accountability

Sec. 304(a)(5) Provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title.

Approval of Grants

Sec. 304(b) Applications for grants under this title may be approved by the U.S. Commissioner only if --

Equitable Distribution of Assistan

Sec. 304(b)(2) The program set forth in the application is consistent with criteria established by the U.S. Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the size and population of the State, (B) the geographic distribution of the population within the State, (C) the relative need of persons in different geographic areas and in different populations groups within the State for the kinds of services and activities described in paragraph (b) of section 303, and their financial ability to provide those services and activities, and (D) the relative ability of particular local educational agencies within the State to provide those services and activities;

Improved Educational Opportuniti for Childre of Area Served

Sec. 304(b)(3) In the case of an application for assistance for a program for carrying out the purposes described in paragraph (b) of section 303, the U.S. Commissioner determined (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are to the type which the supplementary educational activities and services provided under the program are to meet, provision has been made for participation of such children; and

Approval of State Education Department

Sec. 304(b)(4) The application has been submitted for review and recommendations to the State educational agency.

Considerati of Overburdene Agencies

Sec. 304(c) In approving applications under this title for grants for and fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe.

Payments

Sec. 305(a) From the amounts apportioned to each State, the U.S. Commissioner shall pay to each applicant in that State which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

Sec. 305(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

Recovery of Aid

Sec. 307 If within twenty years after completion of any construction for which Federal funds have been paid under this title --

(a) the owner of the facility shall cease to be a State or local educational agency, or

(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the U.S. Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aide of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

Labor Standards

Sec. 308 All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the U.S. Secretary of Labor.

TITLE V

GRANTS TO STRENGTHEN STATE DEPARTMENT OF EDUCATION

Appropriations Authorized

Sec. 501(a) The U.S. Commissioner shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program for making grants to stimulate and assist State in strengthening the leadership resources of their State educational agencies, and to assist those agencies in the establishment and improvement of programs to identify and meet the educational needs of States.

TITLE VI

EDUCATION OF HANDICAPPED CHILDREN

thorization

Sec. 601(a) Authorizes the Commissioner to make grants for fiscal 1967 and 1968 for the purpose of assisting States in initiation, expansion, and improvement of programs for the education of handicapped children (as defined in section 602) at the preschool, elementary and secondary school levels.

Definition Handicapped Children

Sec. 602 As used in this title, the term 'handicapped children' includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

State Allotment

Sec. 603(a)(2) From the total amount appropriated pursuant to this section for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children age three to twenty-one, inclusive, in the State bears to the number of such children in all the States.

Any State which desires to receive grants under this title shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this title unless the plan meets the following requirements:

Programs for Handicapped

Sec. 604(a) Provides assurance that funds will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs, (A) designed to meet special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality as to give reasonable promise of progress toward meeting those needs, and (C) which may include acquisition of equipment.

Participation of Private School Children

Sec. 604(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this title.

Local Control of Funds

Sec. 604(c) The plan must provide satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

Eligibility of Schools

Sec. 604(i) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, Eighty-first Congress.

Payments to States

Sec. 605 From the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

National Advisory Committee

Sec. 608(a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to civil service laws.

TITLE VII

TITLE VII

GENERAL PROVISIONS

Definitions (construction)

Sec. 701 As used in titles II, III, and V of this Act --

(b) The term "construction" means (1) errection of new or expansion of existing structure, and the acquisition and installation of equipment therefor; or (2) acquisition of existing structures not owned by any agency or institution making application for assistance under this Act; or (3) remodeling or alteration (including the acquisition, installation, modernization, or replacement of equipment) of existing structures; or (4) a combination of any two or more of the foregoing.

ementary school)

(c) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

uipment)

(d) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials.

cal education)

(f) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

onprofit)

(g) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

secondary school)

(h) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(State ucational agency)

(k) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

Federal ontrol of Education rohibited

Sec. 704 Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system, or to require the assignment or transportation of students or teachers in order to overcome racial unbalance.

itations Payments der This Act

Sec. 705 Nothing contained in this Act shall be construed to authorize the making of any payment under this Act, or under any Act amended by this Act, for religious worship or instruction.

Dissemination of Information

Sec. 706 For the purpose of carrying out more effectively the provisions of this Act, the Commissioner (a) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analysis, and other such materials as are generally useful for such purpose.

Public Works and Economic Development Act of 1965
(Public No. 136 - 89th Congress)
Approved August 26, 1965

Full Title

Public Works and Economic Development Act of 1965

Purpose

To assist areas and regions of substantial and persistant unemployment and underemployment to take effective steps in planning and financing their public works and economic development to achieve lasting improvement in their domestic prosperity.

TITLE I
GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES

TITLE I

Direct Grants

Sec. 101(1) The Secretary of Commerce is authorized to make direct grants for the acquisition or development of land and improvements for public works, public service, or development facility useage, and the acquisition, construction, rehabilitation, alteration, expansion or improvement of such facilities including related machinery and equipment, within a redevelopment area that: (A) The project will improve opportunities in the area for successful establishment or expansion of industrial or commercial plants, (B) the project will fulfill a pressing need of the area, and (C) the area has an over-all economic development program and the project proposed is consistent with this program.

Supplemental Grants

Sec. 101(2) The Secretary is further authorized to make supplemental grants to enable the States and other entities within redevelopment areas to take maximum advantage of designated Federal grant-in-aid programs for which they are eligible, but for which they cannot supply the the required matching funds.

Limitations

Sec. 101(b) Direct grants for any project shall not exceed 50% of project cost.

Sec. 101(c) Supplementary grants for any project shall be limited to the applicable percentage established by the Secretary, but in the event shall the non-Federal share of the aggregate cost of any project be less than 20 per centum of such cost.

Additional Limitation Relative to Appalachian

Sec. 104 No part of any appropriations made under this title may be expended for any project in any area which is within the "Appalachian region" which is approved for assistance under the Appalachian Regional Development Act of 1965.

TITLE IV
AREA AND DISTRICT ELIGIBILITY

TITLE IV

Part A - Redevelopment Area

Area Eligibility Redevelopment Area

Sec. 401(a) The Secretary shall designate as "redevelopment areas" --

Rates of Unemployment

(1) those where there has existed substantial and persistant unemployment for extended periods of time and those areas where there was substantial loss of population due to lack of employment opportunity. There shall be included among these designated areas any area --

(A) where current rate of unemployment is 6 per centum or more and has averaged at least 6 per centum for the qualifying periods; and

(B) where annual average rate of unemployment has been at least --

- (i) 50 per centum above the national average for three of the preceeding four calendar years, or
- (ii) 75 per centum above the national average for two of the preceeding three calendar years, or
- (iii) 100 per centum above the national average for one or the preceeding two calendar years.

Low Median Family Income

(2) those additional areas which have a median family income not in excess of 40 per centum of the national median,

(3) certain Federal or State Indian reservations;

Additional Areas-

(4) upon request, additional areas in which Secretary determines that the loss, removal, curtailment, or closing of a major source of employment has caused within three years prior to, or threatens to cause within three years after, the date of the request an unusual and abrupt rise in unemployment of such magnitude that the unemployment rate for the area at the retime of the request exceeds the national average, or can reasonably be expected to exceed the national average, by 50 per centum or more unless assistance is provided.

Size and Boundaries

Sec. 401(b) The size and boundaries of redevelopment areas shall be as determined by the Secretary: Provided, however, that --

(1) no area shall be designated until it has an approved overall economic development program in accordance with this act, and

(2) no area shall be designated which does not have a population of at least one thousand five hundred persons, except for areas designated under section 401(2)(3).

Annual Review of Area Eligibility

Sec. 402 The Secretary shall conduct an annual review of all areas designated in accordance with section 401 of this act, and on the basis thereof shall terminate or modify the designation of such areas in accordance with objective standards which he shall prescribe by regulation.

National Foundation on the Arts and the Humanities Act of 1965
(Public No. 201, 89th Congress)
Approved September 29, 1965

Full Title

An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

Purpose

Sec. 2 States the purpose of the act "to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations".

Definitions

Sec. 3(a) Defines humanities as including, but not limited to, "language, both modern and classic; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods".

Sec. 3(b) Defines arts as including, but not limited to, "music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts , industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms".

Sec. 3(c) through (g) Defines production, project, group, workshop, and State.

National Foundation

Sec. 4 Establishes a National Foundation on the Arts and the Humanities.

Endowment

Sec. 5(a) Establishes a National Endowment for the Arts within the Foundation.

Grants

Sec. 5(c) Establishes a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, to support artistic and cultural endeavors.

Payments

Sec. 5(f) Provides that the total amount of any grant to any group pursuant to subsection 5(c) shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

Grants

Sec. 5(h)(1) Authorizes a program of grants-in-aid to assist the several States in supporting existing projects and productions which meet specified standards, and in developing projects and productions in the arts.

State Plan	Sec. 5(h)(2) Requires a State plan which designates or provides for the establishment of a State agency as the sole agency for the administration of the State plan; provides that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds will be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency.
Payments	Sec. 5(h)(4) Limits payments under this section (5(h)) at 50 per centum of project costs with exception of provision to pay up to 100 per centum of the cost of conducting a study and establishing a State agency, as described in subsection 5(h)(2).
Conditions	Sec. 5(i) - (k) Provides for conditions of compliance by recipients to the objectives of the legislation, the State Plan, labor standards, etc.
Endowment	Sec. 7(a) Establishes a National Endowment for the Humanities within the Foundation.
Grants, Loans, and Fellowships	Sec. 7(c)(2) Provides grants, loans, and support for groups and for individuals to strengthen research in the humanities.
	Sec. 7(c)(3) Provides fellowships and grants to individuals or institutions for training in the humanities.
	Sec. 7(c)(5) Provides grants to groups to foster public understanding and appreciation of the humanities.
Payments to States	Sec. 12(a) Provides for payments to States for equipment, minor remodeling, and loans to strengthen instruction in the humanities and the arts.
Equipment Acquisition, Minor Remodeling, Loans	Sec. 12(b) Provides for sums to be allotted to States by procedure provided in the National Defense Education Act.
State Plan	Sec. 12(c) Requires State plan which meets requirements of the National Defense Education Act and provides for payments to educational agencies for equipment acquisition to strengthen instruction in the humanities and the arts and the minor remodeling of space used for such equipment.
Loans	Sec. 12(f) Provides loans to non-profit private schools by the same terms as are contained in the National Defense Education Act.
Advanced Study Programs	Sec. 13(a) Provides, through grants or contracts with higher education institutions, for advanced study programs to strengthen the teaching of the humanities and the arts in elementary and secondary schools.
Stipends	Sec. 13(b) Provides stipends of $75 per week to qualifying applicants for the period of attendance at the training institute. Each individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each dependent.

Higher Education Act
(Public No. 329, 89th Congress)
Approved November 8, 1965

Full Title

An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in post-secondary and higher education.

TITLE I

TITLE I
COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

Sec.101 Authorizes $25,000,000 for fiscal '66 and $50,000,000 for fiscal '67, and for fiscal '68, for strengthening the community service programs of colleges and universities.

Definition

Sec.102 "Community service program" defined as an educational program, activity, or service designed to assist in the solution of community problems where the institution determines that --

(1) the proposal provides a program, activity, or service not otherwise available, and
(2) the proposal is consistent with the institution's program and appropriate to its resources and competencies.

State Plan

Sec.105 A State plan should designate the State agency for administration; set forth the system of financial responsibility for the funds; describe procedures of allocation to local agencies; set forth methods to ensure the maintenance of non-Federal effort; provide proper disbursement and accounting; and detail the pattern of record-keeping and reporting.

Payments

Sec.106 Payments for carrying out a State plan shall be 75% of eligible costs for fiscal 1966 and 1967 and 50% of eligible costs for fiscal 1968, 1969, and 1970. Administration cost payments shall be limited to 5% of the State grant or $25,000, whichever is greater.

Limitation

Maintenance of effort defined as having eligible expenditures from non-Federal sources not less than similar expenditures for fiscal 1965 plus "an amount equal to not less than" the non-Federal share of the costs with respect to which payment is sought.

TITLE II

TITLE II
COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

Part A - College Library Resources

Funds

Sec.201 Authorizes $50,000,000 for each of the fiscal years 1966, 1967, and 1968 for grants to higher education institutions for library materials.

Grants

Sec.202 Provides basic grants up to $5,000 per institution per year on a 50% matching basis above the maintenance of effort level.
Sec.203 Provides supplemental grants in addition to basic grants to institutions wherein specific circumstances of need prevail.
Sec.204 Provides special purpose grants to institutions for which the acquisition of library materials would accomplish unusual objectives.

Part B - Library Training and Research

Funds

Sec.221 Authorizes $15,000,000 for each of the fiscal years 1966, 1967,and 1968.

Grants

Sec.223 Provides grants to institutions of higher education to increase the opportunity for training people in librarianship. Such grants may be used to assist in covering cost of courses for such persons and for fellowships or traineeships with stipends (for traveling, subsistence, and other expenses).

Sec.224 Provides grants to institutions of higher education for research and demonstration projects which relate to the improvement of libraries or of training of people in librarianship.

Part C - Strengthening College and Research Library Resources

Sec.231 Authorizes $5,000,000 for fiscal 1966, $6,315,000 for fiscal 1967,and $7,770,000 for fiscal 1968 to increase the effectiveness of the Library of Congress.

TITLE III

TITLE III
STRENGTHENING DEVELOPING INSTITUTIONS

Funds

Sec. 301(b) Authorizes $55,000,000 for fiscal 1966, $30,000,000 for fiscal 1967, and $55,000,000 for fiscal 1968.

Grants

Sec.304(a) Provides grants to developing institutions and other colleges and universities to pay part of the cost of planning, developing,and carrying out arrangements for strengthening the academic programs and the administration of developing institutions.

Fellowships

Sec.305(a) Provides teaching fellowships to highly qualified graduate students and junior faculty members to encourage their teaching at developing institutions.

Stipends

Sec.305(b) Provides stipends of up to $6,500 per academic year to each person awarded a fellowship, plus $400 for each such year for each dependent.

TITLE IV
STUDENT ASSISTANCE

Part A - Educational Opportunity Grants

Funds

Sec.401 Authorizes $70,000,000 for fiscal 1966,and for each of the two succeeding years,for payments to undergraduate students.

Scholarships

Sec.402 Amount of award to each qualifying undergraduate to range from $200 to $800. Eligibility for additional $200 of aid in a given year dependent upon standing in the upper half of the class for the preceding year.

Sec.403 Scholarship limited to four years.

Eligibility

Sec.404 Eligibility of individual dependent upon --
- (a) eligibility of institution to dispense grant funds;
- (b) determination that the individual --
  - (1) has been accepted for enrollment as a full-time student or, if already attending, is in good standing and in full-time attendance;
  - (2) shows evidence of capability to maintain good standing in his study;

3. is of exceptional financial need;
4. would not be able to pursue study without the aid of the scholarship.

Sec.405 Provides for allocation of funds among the several States.

Sec.406 Provides for allocation of funds among institutions within a State.

Sec.407 Provides basis for agreement between the U.S. Commissioner of Education and institution of higher education to ensure proper utilization of educational opportunity grants.

Loans

Part B - Federal, State, and Private Programs of Low-Interest Insured Loans to Students in Institutions of Higher Education

Sec.421 Authorizes $1,000,000 to student loan insurance fund, such funds as are needed for interest on student loans, and $17,500,000 for advances to State and non-profit private student loan insurance programs.

Sec.422 - Sec.435 Delineates purposes, conditions, and terms under which insured loan program operates.

TITLE V

TITLE V
TEACHER PROGRAMS

Part A - General Provisions

Sec.501 Establishes an Advisory Council on Quality Teacher Preparation.

Part B - National Teacher Corps

Sec.511 Authorizes $36,100,000 for fiscal 1966 and $64,715,000 for fiscal 1967 to strengthen education in elementary and secondary schools in low-income areas by --
(1) making better qualified teachers available to such areas;
(2) providing teams of teacher-interns led by experienced teachers for such area schools.

Sec.512 Establishes the National Teacher Corps.

Sec.513 Describes the National Teachers Corps Program.

Part C - Fellowships for Teachers

Sec.522 Provides graduate study fellowships for persons planning careers in elementary and secondary education.

Sec.525 Provides stipends to persons awarded fellowships.

Sec.526 - Sec.527 Prescribes limitations and conditions under which fellowships and stipends are available.

TITLE VI

TITLE VI
FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

Part A - Equipment

Funds

Grants

Sec.601(b) Provides authorization of $35,000,000 for fiscal 1966, $50,000,000 for fiscal 1967, and $60,000,000 for fiscal 1968 for grants to institutions of higher education for teaching equipment purchase and for minor remodeling.

ETV

Sec.601(c) Provides authorization of $2,500,000 for fiscal 1966, and $10,000,000 for fiscal 1967, and for fiscal 1968, for grants to colleges and universities for television equipment acquisition (excluding broadcast transmission equipment).

State Plan

Sec.601(d) Authorizes $1,000,000 for each of fiscal years 1966, 1967, and 1968, for administration of State plans approved.

Sec.603 Requires a State plan for participation of colleges and universities under a State agency for administration, establishment of priorities of expenditure, and fiscal accountability of Federal funds disbursed.

Federal Share

Sec.604 Establishes criteria for priorities by regulation of the U.S. Commissioner of Education. Federal share limited to 50% of costs except in instances of particular need wherein the Federal share may be increased not to exceed 80% of costs. Maintenance of non-Federal effort required.

Part B - Faculty Development Programs

Funds

Sec.621 Authorizes $5,000,000 for each of fiscal years 1966, 1967, and 1968, for teacher training institutes.

Stipends

Sec.622 Provides stipend for attendance at teacher training institute at the rate of $75 plus $15 per week for each dependent.

Veterans' Readjustment Benefit Act of 1966
(Public No. 358 - 89th Congress)
Approved March 3, 1966

Full Title

An Act to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

SPECIAL NOTE: This Act amends Part III of title 38, limited States Code by adding Chapter 34 and Chapter 36. The following are sections of these new chapters.

Purpose

Sec. 1651 Congress declares education program here created is for purpose of making more attractive service in Armed Forces, extending benefits of higher education to persons who might not otherwise be able to afford such education, providing vocational readjustment, and restoring educational opportunities lost by reason of active duty after Jan. 31, 1955.

Definitions

Sec. 1652 As used in this Act --

(1) The term "eligible veteran" means any veteran who (A) served on active duty for a period of more than 180 days any part of which occurred after January 31, 1955, and who was discharged or released therefrom under conditions other than dishonorable or (B) was discharged or released from active duty after such date for a service-connected disability.

(2) The requirement of discharge or release, prescribed in paragraph (1) (A), shall be waived in the case of any individual who served at least two years in an active-duty status for so long as he continues on active duty without a break therein.

(3) The term "active duty" does not include any period during which an individual (A) was assigned full time by the Armed Forces to a civilian instruction for a course of education which was substantially the same as established courses offered to civilians, (B) served as a cadet or midshipman at one of the service academies, or (C) serviced the "six-month active duty" period of a reservist.

Eligibility Duration

Sec. 1661(a) Except as provided in subsection (b), each eligible veteran shall be entitled to educational assistance under this chapter for a period of one month (or to the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955.

Sec. 1661(b) Excepting occasions in which period of entitlement ends during a semester an eligible veteran shall, in no case, receive educational assistance under this chapter for a period which will exceed thirty-six months - such time to include period when education or

training is received under World War II or Korean GI Readjustment Acts, War Orphans' Educational Assistance Act of 1956 and the vocational rehabilitation program.

Time Limitation f Education Program

Sec. 1662(a) No educational assistance shall be afforded an eligible veteran under this chapter beyond the date eight years after his last discharge or release from active duty after Jan. 31, 1955.

Counseling Available

Sec. 1663 The VA Administrator may arrange for educational and vocational counseling for veterans eligible for educational assistance under this chapter. At such intervals as he deems necessary, he shall make available information respecting the need for general education and for trained personnel in the various crafts, trades, and professions. Facilities of other Federal agencies collecting such information shall be utilized to the extent he deems practicable.

Type of Program

Sec. 1670 Subject to the provisions of this chapter, each eligible veteran may select a program of education to assist him in attaining an educational, professional, or vocational objective at any educational institution (approved in accordance with this title) selected by him, which will accept and retain him as a student or trainee in any field or branch of knowledge which such institution finds him qualified to undertake or pursue.

Discontinuance of Assistance

Sec. 1674 The VA Administrator shall discontinue the educational assistance allowance of an eligible veteran if, at any time, the Administrator finds that according to the regularly prescribed standards and practices of the educational institution, his conduct or progress is unsatisfactory. The Administrator may renew the payment of the educational assistance allowance only if he finds that --

(1) the cause of the unsatisfactory conduct or progress of the eligible veteran has been removed; and
(2) the program which the eligible veteran now proposes to pursue (whether the same or revised) is suitable to his aptitudes, interests, and abilities.

onditions of Payment of Allowance

Sec. 1681(a) The Administrator shall pay to each eligible veteran who is pursuing a program of education under this chapter an educational assistance allowances to meet, in part, the expenses of his subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

Sec. 1681(b) The educational assistance allowances of an eligible veteran shall be paid, as provided in section 1682 of this title, only for the period of his enrollment as approved by the Administrator, but no allowance shall be paid --

(1) to any veteran enrolled in a course which leads to a standard college degree for any period when such veteran is not pursuing his course in accordance with the regularly established policies and regulations of the educational institution and the requirements of this chapter, or of chapter 36;
(2) to any veteran enrolled in a course which does not lead to a standard college degree for any day of absence in excess of thirty days in a twelve-month period;

(3) to any veteran pursuing his program exclusively by correspondence for any period during which no lessons were received by the institution.

Computation of Allowance

Sec. 1682(a)(1) Except as provided in subsection (b) or (c)(1), while pursuing a program of education under this chapter of half-time or more, each eligible veteran shall be paid the monthly educational assistance allowance set forth in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the applicable type of program as shown in column 1:

Column I	Col. II	Col. III	Col. IV
Type of Program	No. dependents	One dependent	Two or more dependents
Institutional:			
Full time	$100	$125	$150
Three quarter	75	95	115
Half time	50	65	75
Cooperative	80	100	120

Cooperative Program

Sec. 1682(a)(2) A "cooperative" program means a full-time program of education which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion.

Part-Time

Sec. 1682(b) The educational assistance allowance of an individual pursuing a program of education --

(1) while on active duty, or
(2) on less than a half-time-basis,

shall be computed at the rate of (A) the established charges for tuition and fees which the institution requires similarly circumstanced non-veterans enrolled in the same program to pay, or (B) $100 per month for a full-time course, whichever is the lesser.

Approval of Institutional Courses

Sec. 1685 An eligible veteran shall reserve the benefits of this chapter while enrolled in a course of education offered by an educational institution only if such course is approved in accordance with provisions of Chapter 36 of this title.

Child Nutrition Act of 1966
(Public No. 642, 89th Congress)
Approved October 11, 1966

Full Time

An Act to strengthen and expand food service program for children.

Purpose

Sec. 2. To extend, expand and strengthen efforts at providing food and good nutrition for school children as a measure to safeguard the health and well being of our children, and to encourage the domestic consumption of agricultural and other goods through grants-in-aid and other means.

Special Milk Program

Sec. 3. Authorizes $110,000,000 for fiscal 1967, $115,000,000 for fiscal 1968, and $120,000,000 for the next two years, to enable Secretary of Agriculture to encourage consumption of fluid milk in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child care centers, settlement houses and similar non-profit institutions. The Secretary shall administer the program under this section in the same manner as he administered the special milk program provided for by P.L. 85-478, as amended.

Breakfast Program

Sec. 4(a) Authorizes $7,500,000 for fiscal 1967, and $10,000,000 for fiscal 1968 to enable Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

Use of Funds

Sec. 4(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (d). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

Schools With Unusual Needs

Sec. 4(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

Nutritional Requirements

Sec. 4(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

Nonfood (Equipment) Program

Sec. 5(a) Authorizes funds to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment, other than land or buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

Requirements of Funding

Sec. 5(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, equipment, to conduct a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

Pre School Benefits

Sec. 12 The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

Adult Education Act of 1966
(Public No. 750 - 89th Congress)
approved November 3, 1966

Full Title

Sec. 301 Adult Education Act of 1966

Purpose

Sec. 302 To encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

Definitions

Sec. 303(a) "Adult" means any individual who has attained the age of eighteen.

Sec. 303(b) "Adult education" means services or instruction below the college level, for adults who:

(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education; and
(2) are not currently enrolled in schools.

Sec. 303(c) "Adult basic education" means education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

Grants to States

Sec. 304(a) From the sums appropriated for this Act, not less than 10 per centum now more than 20 per centum shall be reserved for the purpose of section 309 (Experimental and Teacher Training Projects.)

Sec. 304(b) From the remainder of such sums, the Commissioner is authorized to make grants to States which have approved State Plans, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies.

Determining of State Allotment

Sec. 305(a) From the sums available for allotments to the States, under this Act, the Commissioner shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who have completed not more than five grades of school in such State bears to the number of such adults in all States.

State Plans

Sec. 306(a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall:

(1) set forth a program for the use of grants, which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;
(2) provide for administration of such plan by the State agency;
(3) provide for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title.

Payments to States

Sec. 307(a) Except as provided in subsection(b) the Federal share of expenditure to carry out a State allotment available for grants to such State. For the fiscal year 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.

State Maintenance of Effort

Sec. 307(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

Special Project & Teacher-Training Grants

Sec. 309(a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

Sec. 309(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which --

(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or
(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

Sec. 309(c) The Commissioner is authorized to provide (directly or by contract), or to make grants to colleges or universities, State or local educational agencies, or organizations, to provide training to persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

National Advisory Committee

Sec. 310(a) The President shall, within ninety days of enactment of this title appoint a National Advisory Committee on Adult Basic Education.

Limitations

Sec. 313 No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or relgious worship, or provided by a school or department of divinity (as defined later in this section).

Demonstration Cities and Metropolitan Development Act of 1966
(Public No. 754 - 89th Congress)
Approved November 3, 1966

Full title

An Act to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

Title I

Title I
Comprehensive City Demonstration Programs

Purpose

Sec. 101 To provide additional financial and technical assistance to enable cities of all sizes to plan, develop, and carry out locally prepared and scheduled comprehensive city demonstration programs containing new and imaginative proposals to rebuild or revitalize large slum and blighted areas; to expand housing, job, and income opportunities; to reduce dependence on welfare payments; to improve educational facilities and programs; to combat disease and ill health; to reduce the incidence of crime and delinquency; to enhance recreational and cultural opportunities; to establish better access between homes and jobs; and generally to improve living conditions for the people who live in such areas, and to accomplish these objectives through the most effective and economical concentration and coordination of Federal, State, and local public and private efforts to improve the quality of urban life.

Authority

Sec. 102 The Secretary of Housing and Urban Development is authorized to make grants and provide technical assistance, to enable city demonstration agencies (as later defined) to plan, develop, and carry out comprehensive city demonstration programs in accordance with the purposes of this title.

Eligibility Requirements

Sec. 103 A comprehensive city demonstration program is eligible for assistance only if --

(1) physical and social problems in the area of the city covered by the program as such that a comprehensive city demonstration program is necessary to carry out the policy of the Congress as stated in section 101;

(2) program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections or neighborhoods; to make progress in reducing social and educational disadvantages, ill health, underemployment; to provide educational, health, and social services necessary to serve poor and disadvantaged in the area; and provide enlarged opportunity for work and training;

(3) the program will contribute to a well-balanced city (related to housing, choice of accommodations, public facilities, and the like);

(4) the activities to be undertaken will be initiated within a reasonably short period to time.

Restrictions on Secretary

Sec. 103(d) Nothing in this section shall authorize the Secretary to require the adoption by any community of a program (1) by which pupils now resident in a school district not within the confines of the area covered by the city demonstration program shall be transferred to a school or school district including all or part of such area, or (2) by which pupils now resident in a school district within the confines of the area covered by the city demonstration program shall be transferred to a school or school district not including a part of such area.

Planning Grants

Sec. 104(a) The Secretary is authorized to make grants to, and contract with, city demonstration agencies to pay 80 per centum of planning and developing comprehensive city demonstration programs.

Grants for Local Administration

Sec. 105(b) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the cost of administering approved comprehensive city demonstration programs, but not the cost of administering any project or activity assisted under a Federal grant-in-aid program.

Grants for Otherwise Non-Federal Contribution

Sec. 105(c) To assist the city to carry out the projects or activities included within an approved comprehensive city demonstration program, the Secretary is authorized to make grants to the city demonstration agency of not to exceed 80 per centum of the aggregate amount of non-Federal contributions otherwise required to be made to all projects or activities by Federal grant-in-aid programs (as defined in section 112(1)) which are carried out in connection with such demonstration program: Provided, That no Federal grant-in-aid program shall be considered to be carried out in connection with such demonstration program unless it is closely related to the physical and social problems in the area of the city covered by the program and unless it can reasonably be expected to have a noticeable effect upon such problems. The specific amount of any such grant shall take into account the number and intensity of the economic and social pressures in the sections or neighborhoods involved, such as those involving or resulting from population density, poverty levels, unemployment rate, public welfare participation, education levels, health and disease characteristics, crime and delinquency rate, and degree of substandard and dilapidated housing. The amount of non-Federal contribution required for each project in a Federal grant-in-aid program shall be certified to the Secretary by the Federal department or agency (other than the Department of Housing and Urban Development) administering such program, and the Secretary shall accept such certification in computing the grants hereunder. (d) Grant funds provided to assist projects and activities included within an approved comprehensive city demonstration program pursuant to subsection (c) of this section shall be made available to assist new and additional projects and activities not assisted under a Federal grant-in-aid program. To the extent such funds are not necessary to support fully such new and additional projects and activities, they may be used and credited as part or all of the required non-Federal contribution to projects or activities, assisted under a Federal grant-in-aid program, which are part of an approved comprehensive city demonstration program. Such grant funds, however, shall not be used --

(1) for the general administration of local governments; or
(2) to replace non-Federal contributions in any federally aided project or activity included in an approved comprehensive city demonstration program, if prior to the filing of an application for assistance under section 104 an agreement has been entered into with any Federal agency obligating such non-Federal contributions with respect to such project or activity.

Definitions

Sec. 112 As used in this title --
(1) "Federal grant-in-aid program" means a program of Federal financial assistance other than loans and other than the assistance provided by this title.
(2) "City demonstration agency" means the city, the county, or any local public agency established or designated by the local governing body of such city or county to administer the comprehensive city demonstration program.
(3) "City" means any municipality (or two or more municipalities acting jointly) or any county or other public body (or two or more acting jointly) having general governmental powers.
(4) "Local" agencies include State agencies and instrumentalities providing services or resources to a city or locality, and "local" resources include those provided to a city or a locality by a State or its agency or instrumentality.

TITLE II

Title II
Planned Metropolitan Development

Purpose

Sec. 201(b) It is the purpose of this title to provide, through greater coordination of Federal programs and through supplementary grants for certain federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive metropolitan planning and programming effective.

NOTE: The purpose of Title II is stated only because Title II provided for the major thrust of the act. However, Title II and the titles III-X do not relate, in general, to the local educational systems.

VI. Federal Programs Available to Private Schools in New York State

The following Federal Programs provide in various ways, for private school participation.

The page numbers indicate pages in this Handbook on which program description can be found.

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	F. Other programs - contact U.S. Office of Education, New York State Education Department or individual institutions of higher education.	
V.	See INDEX for specific program pages	

VII. Federal Funds Allocated Through New York State Education Department
1960 - 1967

Federal Program	1960-61	1961-62	1962-63	1963-64	1964-65	1965-66	1966-67
George-Barden, Smith-Hughes	3,244,658	3,301,196	3,723,385	3,455,951	3,323,450	3,275,700	100,000
Public Law 874	5,489,006	5,976,586	6,838,543	7,499,170	8,049,877	9,000,000	9,500,000
Public Law 815	175,772	1,275,484	346,444	-----	1,006,569	-----	-----
School Lunch	5,641,036	5,862,679	6,540,885	7,386,649	8,115,592	8,683,093	9,234,492
Special Milk	8,885,100	8,659,600	8,993,765	9,308,040	9,157,200	8,913,335	9,100,000
Library Services Act, Title I	249,152	280,484	280,484	279,948	1,942,725	2,003,090	2,840,719
NDEA, Title III	2,928,653	2,926,658	2,926,658	4,028,973	4,826,609	4,532,964	4,373,027
NDEA, Title V-A	1,229,542	1,225,770	1,225,770	1,230,103	1,688,528	2,025,432	2,024,777
Manpower Dev. and Trng.			2,788,293	5,365,390	15,619,979	17,944,147	8,853,174
Welfare Education Prog.				50,000	429,750	928,000	928,000
Library Svc. Act, Title II					2,908,635	2,459,907	3,379,936
Voc. Educ. Act of 1963					7,705,007	11,053,735	13,630,828
Adult Basic Educ.,					823,199	3,030,795	827,049
Work-Study Program					1,696,057	2,580,004	2,415,744
Migrant Prog., EOA, III-B					227,832	388,266	284,324
ESEA, Title I						112,377,699	113,390,368
ESEA, Title II						8,293,725	8,420,204
ESEA, Title III						5,831,022	11,005,483
National Foundation of Arts & Humanities Act						30,337	24,182
Higher Education Act, Title I						515,033	542,140
Total	27,842,919	29,508,457	33,664,227	28,604,224	67,521,009	203,866,284	200,874,447

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